1888
(L.R.)

File No. 36-88.
Serial No. 1-13.

Sub: Rules under the Mysore Land Revenue Code

Incomplete

G. R. S. IX-5] DAO. Mysore 275. 1888

Previous references. L.R. 24-1886 ~~191~~ . (L. R)

Later references.

File No. 36 – 88

Serial Nos. 1–13

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—13

Part B for July 1890

SUBJECT.

Rules under the Mysore Land Revenue Code

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the desert

W D 88—GPB—50,000—24-7-18

(1)

Memorandum for information in connection with the Rules under the Land Rev. Code 1888.

The Sections of the Code which refer to Rules being framed by Government, etc are the following:—

4	50	160
5	51	163
6	53	164
7	58	189
8	59	194
12	60	205
15	61	206
16	63 para 3	217
17	64	232
18	66	233
20	106	235
21	109	
22	117	
23 para 2	119	
31	124	
38 proviso 1	130 para 4	
39	134	
40	135	
41 para 1	137(2)	
42	140	
47	150 (last para)	
48	152	
	154	
	158	

(7)

21

2. The Sections which make mention of "formal" or "Summary Inquiry being made and which otherwise require to be consulted in making rules about the Jurisdiction of Revenue Courts are as follows:—

37	104 Proviso 1 and 2.
35	126 Rule (2)
57	127.
58	148
92	192
93	209.
98	

3. There is no rule now regarding Grain payments to Village servants in Chitaldrug, Shimoga and Kadur Districts and the quantity of grain should be made to correspond with the notification on the subject which has escaped notice.

4. In Rule 133, Rule 59 has been found to, but as this last rule has been ordered to be transferred to the Inam Rules the circumstances and conditions mentioned in

(3)

Rule 59 should be given at length in Rule 132.

5. After Rule 133, there should be a rule corresponding to (c) of Clause 2 of Rule 187, which appears to have been inadvertently omitted in the printing.

6. The following is a table showing the Rules admitted to in the several Clauses of Rule 187:—

Clause 1 – (a), (b) and (c).	Rules 104 and 105
" (d)	107, 108 and 109.
" 2 (a)	132
" 2 (b)	133
" 2 (c)	134
" 2 (d)	135
" 2 (e)	Rule (omitted) to be supplied
" 2 (f)	111
" 3-(a)	45 and 132(e)
" 3 (b)	49.
" 4	133
5	85 (1)
6 (a)	102 and 127.

(41)

Clause		Rules
6	6(b)	289
	7 (a)	291
	7 (b)	16 and 155
	7 (c)	248 and 272.

7. The several Sections of the Code which have been kept in view in the Rules are as follows:

Rules: Page		Code Sections
1.	Village Service	233(n)
3.	General Service	20 and 233(a)
7.	Duties	195 and 233(n)
	Prohibited Acts	195 and 233(n)
9.	Survey Settlement	233(K)
10	Maintenance of Boundary Marks &.	48, 130 131 and 132.
11.	Survey Fees	140
12.	Disposal of land &c	36, 61 and 62
	Assignment of land for Special purposes	39.

(5)

Page		Sections
12.	Alienation	45, 51 and 53.
14	Grant of Occupancies	36, 38 45, 46, 50 53, 60, 61 66, 111, 1B5, 233 (c), (f), (j) (l)
Rule 75		135
Page 18.	Procedure	42, 58 60 and 233 (h)
" 21	Disposal of Minor Rights	36, 40, 41 and 42.
23.	Occupants Rights	66.
24.	Relinquishment of occupancies.	52 and 71
25	Purposes to which appropriation of unalienated land is prohibited	48
26.	Limit of Time	59, 63 and 64

Page		Sections
27	Eviction	48, 59, 64 and 209
28.	Recovery of Land. Revenue	142, 145 to 150, 152, 154, 156, 158, 160 and 165.
30.	Attachment of Villages	165
	Sale of Property	233(n)
32.	Forfeiture of Holdings	54, 55, 159, 195 and 233(n)
41.	Fiscal and Statistical Records etc	15, 17, 117, 119 and 195
56.	Inspection, Search &	206 and 232.

4 E

31st March 89.

1 8

Rules under the Mysore Land Revenue Code, 1888.

Forwarded to Mr. T. R. A. Thumboo Chettyar, Member of His Highness Maharaja's Council, for the favor of a very early Expression of opinion.

Mysore — 21st March 1889 } K. Seshadri Iyer Dewan

R. 23/3

I enclose a Memo containing my remarks and suggestions on some of the sections of the draft Rules

T. R. Thumboo Chetty

Nanjalan
23. 3. 89
Despd 24/3.

8

Memo

On the draft Rules framed under the Mysore Land Revenue Code, 1888.

Section 5
Payment of minors to Toti & Nirgunti

This section provides that, in addition to the remuneration specified in § 4, the Toti or Kulwadi and the Nirgunti shall receive from the cultivators of lands certain payments in grain. The rates differ from those fixed by Rules published in the Mysore Gazette dated 10th Aug' 1878, under Notif., No 123, dt 1st Idem. In those rules no difference was made between dry and wet lands, and for each Talwar and

Tote, the rate fixed was
3 seers for each acre
cultivated - S 5 allows
the same rate for dry
land but for every
two acres, or, in other
words, a seer and
half for every acre.
This seems too little
for wet or Garden
lands 4 seers are
allowed for every two
acres which is also
I consider too little
whatever may be
the rate which may
be finally adopted,
it will be necessary
to provide, in the Draft
that "in the case of
lands cultivated with
sugar cane or other

garden produce, the
miras may be paid
in Paddy or Rugi
at the option of
the cultivator," and
that "cultivators of
lands irrigated from
wells are not chargeable
with miras allowance
payable to Nirgantee"
Paras 9 & 10 of the
Rules of 1878, which
provide for enforcement
of payment of miras
in a summary pro-
ceeding before the Asst.,
both in Gat and
Inam villages, may
also be embodied
in the present Draft

Supposing a few villages of one Taluk are settled this year and the remaining villages of the same Taluk, or villages added to it from another Taluk, are settled 10 years hence, the guarantee will, as regards the villages settled last, be restricted to 20 instead of 30 years, under clause 2. This is not fair — the guarantee must, in the case of each village be computed from the date of settlement. I would suggest a modification of the clause to that effect —

Rule 35 clause 2 — when settlement is introduced into a portion of a Taluk already partially settled guarantee restricted to the unexpired portion of 30 yrs

× under s 112 of the Code

The rules relating to construction of Chatrams, Inns of Sarkhanas, &c.

Rule 68 Para 1 cl (e)

12/

dated 22 July 1846
may be referred
to in clause (c) and
published as an appx.

This section is
apparently intended
to be explanatory of
the provisions of s 115
of the Code; but I am
afraid the expression,
"without interfering
with any lawful enjoy-
ment or otherwise" would
be open to different
constructions, to the
prejudice of the occupant.
I would omit s 115
in the draft Rules,
and leave every thing
to be decided upon a
reasonable construction
of the provisions of
s 115 of the Code —

s 115 —
old rules of apportionment
not to be disturbed
where a Tank is
constructed at occupant's
expense without interfering with any lawful
rights —

When an 15/ ss 121 & 124.
occupant relinquishes Registration
his land in favor of notice of
of a specified person Relinquishment
and there is no— & replacement &c.
deed of conveyance
but the land Exceeds
Rs 100 in value
the deed of relinquish-
ment a Requirement
being the only evidence
of transfer, ~~the~~ do registration
~~of the Requirement~~,
under Act III/77, appld, I think
has made a condition
precident to the acceptance
of the Requirement and to the
mutation of names
in the Revenue Registers.
This would prevent
fraud and avoid
future complications,

such a question may arise as to the admissibility of the Registered deed under S 49, Reg act — It is true that the provision, as to compulsory registration, does not affect the grant by Govt of immovable property, under S 17 cl (j) of the act, but as the Registered, in the shape of a separate agreement or conveyance is, in itself, a document which purports to alienate the right proposed by the

ccupant in f
another, the
Govt may well
refuse to accept
or act upon it
under s 49 of the
Act, if it be not
registered in the cases
in which the value
of the land relinquished
exceeds Rs 100

I would leave it
discretionary with the
Dy Com^r to grant
the application for
transfer made under
this section. I would
substitute the word
"may" for "shall,"
and add a proviso

s 131 -
Accompany where
interest in the
name of mortgagee
where Reg^d occupant
has not been
heard of for 7 years.

16

to the effect, that an order passed under this section, either by the Dy Com^r or Government, shall not affect the right of the mortgagor, or his heirs and assigns, to redeem or recover possession of the property within the period allowed by law - See article 148 Second Schedule of the Limn Act —

This is not practicable always. The Shanbog has to grant the receipt and he himself collects the money sometimes. The Patel

s 152. Revenue to be paid to Patel and Shanbog jointly.

is not required to
sign the receipts - tho'
he helps the Shanbog
in making the collections.
Both the Patel and
Shanbog may not
always be present
when the collections
are made. The Rule
seems to require alter-
-ation - If the pay-
ment is to be made
jointly to the Patel
& Shanbog, both ought
to be made to sign
the receipt.

Such entry ought s 165 - Official making
to be allowed only distress may enter
after sunset and before dwelling house
sunrise, and the
provisions of s 271, Civil
Procedure Code, may be
adopted in this entirety.

15

s 176 - last para which is to the effect that "payment after the property is knocked on is not a ground to cancel a sale."

I would omit this - I would not lay down such a strict rule. I would leave the Dy Com to discretion of each case on its merits and take all the circumstances into consn.

s 188 cl 1 (c)

The mere removal of grass grown by the road side or in an unoccupied waste land, would be an offence under this clause, and many of the forest classes would come under it - such act may be punished with a small fine the classes under clause 3.

Bangalore
23rd March 1889

W Thomson Cotty
D.C.

19

19 I do not find in the Draft a rule similar to that laid down by Notification No 230 dt 22nd Sept/76 (Rev Manl p 268) regarding the minimum size of fields to be divided under decrees of Civil Courts.

The subsistence allowance payable to Revenue defaulters incarcerated in Civil Jail has also to be fixed under s 64 of the Code

[illegible]
24/3/89

9.

20

Rules under the Mysore
Land Revenue Code, 1888.

Forwarded to Mr.
A. R. Sabhapathi Mudy,
Member of His Highness the
Maharaja's Council, for
the favor of a very early
Expression of Opinion.

Mysore — 21st March 1889. } K. Seshadri Iyer
Dewan

The Rules are in
my opinion complete
and may be introduced

A R Sabhapathy Mudy
Mysore
28th March 1889

20th June 1889

My dear Ker

I return your draft rules with a few notes scribbled in the margin. If you want to make the rules on the subject complete, as you apparently wish to do, there are several more points to be noticed. For instance, the liability of service deeds to sale for arrears of ground rent, the liability of superior heritable securities to the vassal ground rent, the method of distress & so on. As we are going through the rules, I do not think we need now issue any instructions on all those points. It will do if we call the attention of the Crown Commissioners to the question of forfeiture. It seems to me that some such as order

as the following would do.— You may however take the instructions of the Devan & do as he directs.——

The Rules which have to be issued under the Revenue Code are under the consideration of Govt & they will be issued at an early date. Meanwhile the collectors of the Dy Commissioners will be drawn to Regs 156 & 159 of the Code, from which it will be observed that no occupancy or alienated holding in respect of which any arrear of Land Revenue is due can be sold or otherwise disposed of ~~Govt~~ unless it has been previously declared forfeited to Govt.— The Dy Commissioners are therefore requested to see that the forfeiture is duly declared before the sale takes place & the same notified both on

the sale proclamation
& the written notice issued
under sections 171 & 172 of
the Code.- It is not necessary
that the entire holding of
the defaulter shares be
declared forfeited but
only so much of it as
may be sufficient to
discharge the arrear
with costs- If the arrear
is paid before the sale
the forfeiture may be
cancelled & the land
restored to the defaulters.-
2- The Dy Commissioner
are also requested not
to dispose of the lands
forfeited otherwise than
by sale in Public auction,
without obtaining the
special orders of Govt.—

20/6/89

approved
6/8/90

LAND REVENUE RULES.

MYSORE.

[FIFTH PROOF]

only copy available
at present 13/11/90

MYSORE
LAND REVENUE RULES.

The Mysore Land Revenue Code having been brought into force on 1st April 1889, the following rules are issued for the guidance of the officers concerned, in supersession of all the rules now in force on the subjects therein dealt with.

Appeals from Decisions of Assistant Commissioner in charge of Sub-Division lie to the Deputy Commissioner.

SEC. 8. *Cl.* (2).

I. For the purpose of Section 210, the immediate superior authority of an Assistant Commissioner placed in charge of one or more Taluks in a District shall be the Deputy Commissioner of the District.

No special powers to be delegated to Deputy Amildars without Government sanction.

SEC. 10.

II. No powers other than those at present exercised by the Amildars, or sanctioned by the Revenue Code and the Rules framed thereunder, shall be delegated to them by the Deputy Commissioner without the special sanction of Government.

Ordinary powers of Amildars may be assigned to Deputy Amildars by Deputy Commissioners.

SEC. 11.

III. Deputy Amildars will, as a rule, exercise the same powers as Amildars, except where there is an express direction of law, the Government, or the Deputy Commissioner, to the contrary. The Deputy Commissioners are authorized to limit the powers of the Deputy Amildars without reference to Government.

Nomination and remuneration of Patels and Shanbogs in Inam Villages.

SEC. 14.

IV. The nomination of Potails and Village Accountants in Inam villages shall vest with the Inamdars, subject to confirmation by the Deputy Commissioner. If the Inamdars fail to make the nomination within a given time, the Deputy Commissioner will take steps to make the appointment. The remuneration payable to them shall, in the case of a village into which a Survey Settlement has not been introduced, be governed by usage, but in the absence of any such usage it shall be fixed by the Deputy Commissioner at a reasonable amount not exceeding the remuneration payable in accordance with the scale sanctioned for Government Villages. In villages into which a survey and settlement has been introduced the scale of remuneration shall be the same as that sanctioned for Government Villages.

Accounts to be kept by Shanbogs in Government Villages.

SEC. 15.

V. The forms of accounts Nos. 1 to 13, which the Shanbog of every village is required to keep, are given in the Appendix A, with instructions as to how they should be prepared. It is the duty of the Amildar to see that the accounts are regularly kept, and they should also be examined once a year by the Officer conducting the Jamabundy.

Accounts to be kept in alienated villages.

SEC. 16.

VI. The holders of alienated villages are required to keep the following accounts:

(1). Account of the demand collection and balance of each ryot, in Form No. 14, Appendix A.

(2). A Register of lands held by each ryot in Form No. 15, Appendix A, and

to deposit an abstract thereof in the Office of the Amildar at the end of each year.

Appointment, suspension or removal of Ministerial Officers of Establishments.

SECS. 20 & 21.

VII. Every Amildar and Deputy Amildar may, subject to the approval of the Deputy Commissioner, appoint, suspend or remove ministerial Officers and menial servants of his own establishment whose salary is less than Rs.15 a month.

Every Assistant Commissioner, whether in charge of Taluks or not, may, subject to the approval of the Deputy Commissioner, appoint, suspend or remove ministerial Officers and menial servants of his own establishment whose salary does not exceed Rs25 per mensem.

All other appointments, suspensions or dismissals of the members of the establishments of the officers named in Section 20 shall be made by those officers, they being competent to delegate their powers to officers subordinate to them.

VIII. 1. The Revenue officers herein-below mentioned shall furnish security to the amounts respectively entered against their names:— SECS. 22 & 23. Security to be furnished by certain Officials.

Huzur Khazana Bakshi	Rs50,000
District Treasurers,—Mysore, Bangalore and Shimoga	...7,000
Huzur Khazana Sheristadar ...	...5,000
Other District Treasurers ...	...5,000
Huzur Cash Accountant	...1,000
District Treasury Shroff	...1,000
Huzur Pallegar Gumasta ...	... 500
Huzur Khazana Head Shroff ...	... 500
Huzur Khazana Deputy Shroff ...	... 500
Taluk Sheristadar	... 500
Taluk Treasury Shroff	... 500
Huzur Gollar	... 50

2. The security required should be furnished within one month after the date of appointment, and no salary is to be passed to a servant until the prescribed security has been furnished by him.

3. Personal securities should in no case be admitted.

4. When the security demanded is less than Rs.100, the security furnished should be either in cash or Government Savings' Bank deposit.

5. In the case of officials from whom a security of Rs.500 and under but above Rs.100 is required, the whole amount of security may be either in the form of Government securities, cash deposits, and deposits in Government Savings' Banks, or immoveable property, or it may consist of both.

6. Where larger amounts of securities are required, one-half at least of such securities should be in the form of cash or Savings Bank deposits or Government securities. The other half may be in landed property.

7. Care should be taken that all Government Promissory Notes given as security are duly endorsed to the Dewan. When Savings Bank Deposit Books are taken as security, the deposit may be in the name of depositor, who should however sign a letter of agreement to the Bank binding himself not to draw the money without the sanction of the Deputy Commissioner for the time being, and authorizing the Bank to pay the money to the Deputy Commissioner, if required.

8. The sufficiency of all securities should be examined by the Deputy Commissioner or one of his Assistants once a year, and a report made to Government within the 15th of the month following the year to which the examination relates. The report must clearly shew whether the security is sufficient and in a realizable form.

9. Forms of security bonds are given in the Appendix B.

Form No. 1 relates to security given in Government Promissory Notes.

Form No. 2 relates to security given in Government Savings' Bank.

Form No. 3 relates to do do Cash Deposits.

Form No. 4 relates to do do Immoveable Property.

10. The above forms apply to the case of Treasurers, and the wording has to be slightly altered when security bonds have to be taken from officers other than Treasurers.

Public servants prohibited from doing certain acts.

SEC. 30. IX. 1. No public servant of and above the rank of a Deputy Amildar, shall, without the sanction of Government, enter into money or other dealings with any person within his jurisdiction or having business in his court or office. It is not necessary or expedient to attempt to define all transactions to which the prohibition applies. It clearly includes all gifts of value, loans, credits, advances, supply of articles, or accommodation at unduly low rates or for insufficient consideration, and sales of property for inordinate prices, and generally any transaction in which profit to a public officer is in view. While it is evident that no honest man will find any difficulty in applying the rule to his individual case, the Government will not be induced by any unworthy plea of non-violation of the letter of the rule to pass unpunished any disregard of its spirit, but will, on the other hand, visit such cases with their severest displeasure.

2. No public officer shall act as an Arbitrator in any case which is likely to come before him in any shape in virtue of any judicial or executive office which he may be holding.

3. If an officer acts as an Arbitrator at the private request of disputants he shall accept no fees.

4. If he acts as an Arbitrator by appointment of a Court of Law, he may accept such fees as the court may fix.

5. No public servant of and above the rank of a peon shall have any interest, direct or indirect, in liquor or drug shops in the district in which he is employed.

6. No Shanbog or Patel shall have any interest, direct or indirect, in liquor or drug shops in the villages which are within his charge.

7. No officer of or above the rank of an Assistant Commissioner will be allowed, without the previous sanction of Government, to hold or to acquire by purchase, bargain, mortgage, transfer, or by any means directly or indirectly any landed property or interest in any landed property within the Mysore Province.

8. If they are already in possession of any land, they are required to submit at once a detailed statement thereof, in Form No. 1 Appendix C, to Government. If they should hereafter become possessed of land or of any interest in land by individual inheritance, or upon the division of undivided family property, or as members of an undivided family, they will, immediately upon such property devolving upon them, submit to Government a statement in the form above prescribed, showing all particulars respecting the property.

9. When persons holding land or having any interest in land are appointed to an office mentioned in para 7, they are required, immediately on such appointment, to submit to Government a statement in the form above prescribed, shewing all the lands held by them.

10. Amildars are likewise prohibited from holding or acquiring lands within the Districts in which they are employed without the previous sanction of Government, and lands within the other Districts in the Mysore Province, without the previous sanction of the Deputy Commissioners of the Districts in which they are employed. If they are already in possession of any land, or hereafter become possessed of lands withiñ the Mysore Province, they are required to submit a statement thereof to the Deputy Commissioner, in the form above prescribed.

11. Taluk Sheristadars and Deputy Amildars are prohibited from holding or acquiring lands without the previous sanction of the Deputy Commissioners in the Taluks in which they are employed. But if they are already in possession of any lands, or hereafter become possessed of any lands within the Mysore Province, they are required to submit a statement thereof, in the form prescribed, to the Deputy Commissioner for registry.

12. The previous sanction of Government or of the Deputy Commissioner is not necessary in the case of other Revenue Officers, but all Revenue Officials above the grade of a peon are required to submit to the Deputy Commissioner through their superiors a statement, in the form above prescribed, showing all the landed property acquired or possessed by them within the Mysore Province for registry. The statement should be forwarded at once in regard to lands already held by them, and a similar statement whenever they become possessed of lands in future.

13. The above rules do not apply to houses and grounds taken up for ordinary dwelling purposes.

14. The Deputy Commissioners and other Revenue Officers who may be permitted to acquire or hold lands, must not under any circumstances take a direct part in the cultivation of such lands. It is essential that no portion of their time and attention which ought to be devoted by Public Officers to their public duties should be applied to the management of landed property, and it will be the duty of the Deputy Commissioners to make such arrangements as shall as far as possible prevent the employment of officials in the Taluk within which their lands may be situated.

15. The Deputy Commissioners are requested to keep a register of all lands held by themselves and their subordinates, in the form above prescribed, and submit an extract thereof to Government with their annual Administration reports. The first statement submitted should embrace all the lands, but the subsequent statements need only shew the lands newly acquired by, and those which have passed from the possession of, the officers concerned.

SEC. 36. Allotment of land for village sites, burial grounds, cattle stands, &c.

X. 1. When the existing areas allotted in villages for burial or burning grounds, cattle stands, village sites, and such other communal purposes are found insufficient, or when new villages come into existence, the Deputy Commissioners are authorized to make new allotments for the above purposes free of charge from unassessed waste lands; but no assessed land should be granted revenue-free for the above purposes without the special sanction of the Government.

2. Except for the purposes above indicated no land shall be granted or sold revenue-free without the previous sanction of the Government.

Removal of earth, stone, &c. from unassessed waste for *bonâ fide* domestic or agricultural purposes.

3. Any person may, within the limits of the village in which he resides, remove earth, stone, kankar, sand, muram or other material, from the beds of rivers, tanks, and nullahs, or from any unassessed waste land not assigned for special purposes, for his own *bonâ fide* domestic or agricultural purposes, without payment of fee, so long as he does not interfere with or injure any work of irrigation or cause damage to land used or required for public purposes. Potters and brick and tile makers shall be entitled to the same privilege for the *bonâ fide* purposes of their trade, but the Deputy Commissioner may prohibit the removal of the materials under this Rule from specified localities, or impose such conditions as may be considered proper.

Local Funds, Public Works and other Public Departments may remove earth, &c. from unoccupied Government Lands.

4. The Local Funds, Public Works, and other Public Departments and Municipalities may, with the permission of the Deputy Commissioner, and subject to his supervision, remove earth, stone, kankar, sand, muram, and other material, from the beds of the rivers, nullahs, or public tanks, or from any unassessed land, or any unoccupied assessed land not assigned for special purposes, for Government works or works of public utility, without payment, whether such works be constructed departmentally or by contract.

Sale of right to remove fuller's earth, &c., in certain cases.

5. After making due provision for the privileges conceded above, the Deputy Commissioners may, at their discretion, sell by public auction or otherwise dispose of the right to remove earth, fuller's earth, stone, kankar, sand, muram, limestone, kuranga or whet-stone, or any other material which is

the property of Government, for such periods, in such quantities, and on such terms, as they think fit. Provided that such sale or other disposal be made subject to the grazing rights, if any, existing in the land in favour of renters of pasture or any other individual or community; and provided also that the purchaser of such right shall be bound to allow unoccupied land covered by the sale to be given out for cultivation. The amount charged by the Deputy Commissioner under this Rule, when the right in question is not put up for sale by public auction, may be either a lump sum, or so much per cubic foot of excavation, or, in the case of a Railway Company requiring land for excavating ballast, so much per mile of the Railway line for which ballast is obtained, or otherwise, as the Deputy Commissioner thinks fit.

Sale of Fishery in Government Tanks.

6. The fishery in Government tanks shall be sold annually by the Taluk Amildar, or such other officer as the Deputy Commissioner may direct, but in the case of tanks the earthwork of which has been done or is being done by the ryots, the right of fishing shall be given to them free of cost. In every case, fishing shall be subject to the following conditions:—

(a) all banks, &c., thrown up for the purpose of catching fish shall be removed;

(b) Fishing shall not be permitted near the front facing or weirs of the tank;

(c) no damage shall be done to the facing or to the tank in any way; and

(d) the right of fishing is not exercised so as to render the water unfit for domestic purposes.

Lands containing Shendi or other valuable trees to be reserved.

SEC. 39.

XI. All lands containing shendi or other valuable trees, or jungle which may be considered fit to be reserved for excise or forest purposes, should be reserved. With this view Deputy Commissioners are required to place themselves in communication with the Forest and Excise Officers, and prepare a statement showing the lands to be reserved in each village, and publish the same in the villages concerned. Even if the lands do not contain shendi or other valuable trees, if they are situated in the midst of shendi groves or other valuable trees, they may also be reserved at the discretion of the Deputy Commissioner.

Regulation of use of free pasturage.

SEC. 40.

XII. The right of grazing on free pasturage lands set apart in each village should be regulated by the ryots themselves, but where they do not agree as to the mode of enjoyment, the Deputy Commissioner may settle their dispute with reference to the number of cattle in the village, the assessment paid by each ryot, and other circumstances.

Transfer of Government trees to occupant of land —how to be made.

SEC. 41, *Cl.* (1)

XIII. Whenever the Deputy Commissioner considers it desirable to transfer to the occupant of the land the right to trees which are the property of Government or of individuals, he shall submit his proposals in each case or class of cases for the orders of Government.

Changes caused by alluvion and diluvion to be reported by village officer to Amildar periodically

SECS. 46 & 62.

XIV. It shall be the duty of the village officers to ascertain from time to time, and to record the changes caused by alluvion and diluvion in every holding subject to such changes, and to report the same to the Amildar when the area of the same exceeds the limit prescribed in Sections 46 and 62, in view to its being dealt with under those Sections.

Abatement of assessment of land lost by diluvion.

SEC. 47.

XV. In cases where the minimum prescribed in this Section may entail hardship, *e.g.*, in the case of wet and garden lands, the Deputy Commissioners are authorized to allow abatement of assessment on the area actually lost by diluvion, though such area may be below the minimum prescribed.

Phut Kharab.

SEC. 48

XVI. In the Survey Registers a deduction is made in some fields on account of barren land (Phut Kharab) and the a s-

sessment placed on the arable land alone. In the event of any portion of the land so deducted being brought under cultivation, no extra assessment need be levied on that account. This rule however does not confer permission to obstruct roads, channels, and right of way generally.

2. An occupant of land may remove from the land occupied by him for agriculture, earth, stone, kankar and muram, or any other material of the soil thereof for his own purposes, but not so as to render the land unfit for agriculture.

Occupant may remove earth, stone, &c., from his own land.

XVII. The assessment fixed under this Section should as a rule be at the rate borne by lands of similar quality in the village, or in the event of there being no similar lands in the village, at the rate borne by similar lands in other adjacent villages in the Taluk. Cases requiring exceptional treatment should be reported for the orders of Government.

SEC. 50. Assessment how to be fixed.

XVIII. The Registers of each District prepared by the Inam Commissioner shall be lodged in the office of the Deputy Commissioner. Extracts or copies thereof may be granted to the parties interested, on their paying a copying fee of two annas per page, containing 150 words. The fee may be paid to the copyist, provided he is one not borne on the regular establishment.

SEC. 51. Inam Registers to be lodged in Deputy Commissioner's Office.

XIX. 1. When water is supplied from a Government source of irrigation to Inam lands not entitled to free irrigation, or to Putta lands classed and assessed as dry, or to garden lands under wells, the occupants shall be liable to pay water-rate at the following rates :

SEC. 53. Rates for the use of water.

(i) Rupees 4 per acre, when the irrigation is supplied wholly at Government expense from a Government irrigation channel drawn from a perennial stream.

(ii) Rupees 3 per acre, for irrigation from a private branch channel allowed to be drawn from such a Government irrigation channel or a river.

(iii) Rupees 2-8-0 per acre, for irrigation from a good Government tank or other irrigation work distributing water till about March.

(iv) Rupees 1-8-0 per acre, from other inferior sources of Government water supply.

2. The above rates apply to unsurveyed Taluks only, and are liable to revision on the introduction of Survey and Settlement. In the Surveyed Taluks, the Deputy Commissioner shall fix the water-rate with reference to the survey assessment of similar irrigated Patta lands, minus the ordinary dry rate, after reference, in cases of doubt, to the Survey Superintendent.

3. When the irrigation is effected by baling, a remission of one-fourth on the water-rate may be allowed.

XX. Applications for the cultivation of unoccupied lands, not alienated and not reserved or assigned for any special purposes, should be disposed of under the following rules :—

SECS. 45, 58 & 59.

1. Lands on which there are no valuable trees, wells or buildings, and which have not been within the three preceding years relinquished by the ryots or bought in by Government, should ordinarily be given to the first applicant, on the usual condition of paying the assessment fixed thereon. If the application be for lands on which there are any valuable trees, or wells, or buildings, or for lands which have been within the three preceding years occupied and relinquished or bought in by Government in a Revenue sale, or if the peculiar position and soil of the land applied for or other circumstances render a public sale desirable, the lands should be sold in a public auction, and given to the highest bidder, subject of course to the condition of the payment of the assessment fixed thereon.

Dharkast for lands—how to be disposed of.

2. There should be no determination of priority among persons who have presented their applications on one and the same day. When more than one apply for one and the same

land on one and the same day, and no applications have been presented on the previous days, the land should ordinarily be sold and given to the highest bidder.

3. In order that people may know which lands can be had on mere application and which are liable to be sold in public auction, the Deputy Commissioners are requested to cause, as soon as possible, two separate lists to be prepared, marked A and B respectively; the list A showing the lands which can be had for cultivation on application without the payment of any price, and the list B showing the lands liable to be sold. The latter will, as already stated, not only include lands on which there are valuable trees, wells or buildings, but also all lands occupied and relinquished or bought in by Government in a Revenue sale within the preceding three years or otherwise considered fit to be sold. The lists may be corrected from time to time. For instance, if no applications for cultivation of lands relinquished or bought in by Government are presented within three years after they have been relinquished or bought in, they may be transferred from List B to List A. Likewise lands reserved, but no longer requiring to be reserved, should be entered in list A or B, according to this Rule. But due notice of the alterations made should be published in the villages concerned and in the Kasba Station of the Taluk, at least 30 days before giving them any effect. The corrected lists or supplemental lists, shewing the lands relinquished or bought in by Government in sales for arrears of Revenue, should be affixed in the village Chavady, and also in some conspicuous part of the Taluk Cutcherry.

4. Whenever an occupancy is sold by public auction, an upset price should be fixed, in order to guard the revenue against loss. The upset price so fixed should include the value of the trees, wells, or buildings therein.

5. Cases may arise in which the sale of land for purposes of cultivation under the rules above laid down may involve particular hardship. In such cases, the Deputy Commissioners are authorized to dispose of the lands without selling them, and grant them to the first applicant, on obtaining from him a fair price for the land and the trees, wells, or buildings therein, unless the priority among the applicants cannot be determined in consequence of there being more than one application presented on one and the same day, in which case the land must, without exception, be sold in a public auction to the highest bidder, as provided for in para 2.

6. If the land applied for is within 25 yards of the embankment of an irrigation work, or adjoins a reserved tract, the Amildar should refer the matter to the Deputy Commissioner, who will, after consulting the officers concerned, pass such orders as he may consider proper.

7. A margin of reserve along all roads running through waste lands should be marked out at a maximum of 22 yards, measured from the centre of the road on each side, and no land within those limits should, on any account, be made over to ryots.

8. When any land has been set apart as reserved, no application for cultivation in such reserve tracts should be admitted by the Amildar without the special sanction of the Deputy Commissioner.

9. Applications for cultivation in tracts set apart as free pasture should not be granted without the special sanction of Government.

10. Beds of tanks should not be given for cultivation, but in special seasons of scarcity of rainfall, the Deputy Commissioner may, if he is satisfied that there is no prospect of storing any water during the season, and the cultivation of the bed would not affect the interests of the cultivators below the tank or of the people generally, give the bed of any tank for cultivation for a season, subject to the condition that dry crops alone should be cultivated and manure should on no account

be used. Further, the cultivator will not be entitled to claim any compensation on account of the submersion of such lands by increased storage of water in the tank from any cause whatsoever, whether the capacity of the tank has remained the same or has been extended by repair.

11. The beds of breached tanks which have not been permanently abandoned may be given out for cultivation as a temporary arrangement, if after communication with the D. P. W., it be found that there is no prospect of the tanks being repaired immediately. The assessment fixed on such lands should not be less than the prevailing rates for neighbouring Government lands of similar quality. Every such grant, whether made before or after these rules come into force, shall be subject to the condition (whether expressed or not) that the cultivation shall be discontinued whenever the tank is taken up for repair, either by Government or other agency, and that the cultivator is not entitled to claim any compensation on this account, whether he has turned the land into garden or otherwise

12. The occupancy of lands in the beds of rivers for growing melons and other garden produce may be granted by the Deputy Commissioner at his discretion, annually, after fixing the assessment at such rates as he may consider fit, provided that any rates existing according to the custom of the villages or neighbourhood shall not be revised except for special reasons, to be recorded in writing by the Deputy Commissioner.

Deputy Commissioner's permission necessary to construct Tanks on unoccupied waste land.

13. A ryot wishing to construct a tank on unoccupied waste lands should in the first instance apply to the Deputy Commissioner for permission to do so. The Deputy Commissioner may grant the permission if on careful enquiry he finds that the construction of the tank will not cut off the supply of any other public or private tank, or interfere with the cultivation, drainage or irrigation of any other lands so as to give just cause for complaint. The lands irrigated under such tanks will only be liable to the assessment which would be charged if the tank had not existed, but the person who constructs the tank will have to pay the assessment of so much of the land covered by its waterspread as has been cultivated within the previous ten years. Should any of the lands submerged belong to other persons, the constructor of the tank must first obtain their consent, without which the permission for the construction of the tank should not be granted. All private tanks must, after completion, be inspected by an officer of the Public Works Department, and if such officer, after inspection, considers that the tank requires to be strengthened in its bund, or to have a new or larger waste-weir (kodi), or otherwise be made more secure for the protection of other works, the improvements pronounced necessary must be carried out by their owners, failing which the tank will be either breached by Government or repaired by Government, and taken under their custody and treated as a Government tank for all purposes.

14. The sub-division of survey fields may be permitted for the purposes of Darkhast, subject to the restriction laid down in Rule No. XXVII, but Darkhasts for the whole survey fields will have preference over Darkhasts for portions only.

15. The above rules do not apply to alluvial lands, which must be disposed of under Sections 61 and 62 of the Code. It must, however, be understood that newly formed islands unconnected with the existing occupancies do not fall under Sections 61 and 62, and they must be disposed of under the ordinary rules. They should ordinarily be sold in a public auction.

16. In all surveyed and assessed tracts, the assessment of the land given for cultivation should be that fixed by the Survey Department. If the land has been surveyed but not assessed, or if the land has not been surveyed, the Deputy Commissioners are required to fix the assessment under Section 50 and the Rule framed thereunder.

17. The assessment should be paid for the whole year in which land may be granted, unless otherwise ordered by the Deputy Commissioner, provided that if the land applied for is that already sold for grazing purposes, the grant of such land for cultivation shall not take effect till the expiry of the grazing right.

18. If the land applied for happens to be a jungle, or overgrown with prickly pear, or otherwise requiring extraordinary labour or capital to render it fit for cultivation, the Deputy Commissioners are authorized to grant it on progressive Cowle, varying in periods from one to ten years, provided the full assessment of the land does not exceed Rs.200. The extent of land to be cleared yearly should be entered in the Cowle: for instance, in a Cowle for five years, it should ordinarily be made a condition that one-fifth of the land should be cleared annually. The forfeiture of the Cowle should be the penalty for non-fulfilment of the contract, and the terms of the Cowle should be strictly enforced. When the assessment of the land applied for on a progressive Cowle exceeds Rs.200, the terms offered should be reported to Government, with the opinion of the Deputy Commissioner, and its orders obtained.

19. An application to take up land for cultivation may be on unstamped paper, but it must be in writing, and must clearly specify the land applied for. It may be presented to the Amildar in person by the applicant himself, or on his behalf by any other person, who shall affix thereto his full signature under the words "Presented on behalf of the Darkhastdar by ." The village officers shall not accept applications for lands, or make any alterations in the village accounts, without the written orders of the Amildar.

20. All such applications should be registered in the order in which they are received by the Amildar, in a book to be opened for the purpose according to Form No 1 Appendix D.

21. It shall be the duty of every Village Accountant, if so desired by any occupant in his village, or by any person about to become an occupant of land in his village, to prepare Darkhast applications without fee or charge of any kind. A Village Accountant who prepares any such Darkhast shall affix his signature beneath the words "written by," on the lower left-hand corner of such Dharkhast.

22. If on referring to the lists A and B mentioned in para 3, and after reference to the village officers, if necessary, the land applied for is found to be one which under the Rules can be granted to the first applicant without selling it in a public auction, the Amildar will grant it forthwith, and issue an order to the village officers accordingly; but if it is one liable to be sold in a public auction, the Amildar should issue a notification, that the land would be sold in a public auction, at such a place, subject to such an upset price, and publish the same both in the village in which the land is situated and in the kasba station of the Taluk, at least 30 days prior to the date fixed for the sale. The sale should be conducted by the Amildar in person, unless the estimated value of the land is less than Rs.100, in which case the sale may be conducted by the Shekdar or other officer appointed by the Amildar in that behalf. The sale should ordinarily take place in the village in which the land is situated. In special cases the sale may take place at the Head-Quarters of the Taluk.

23. When the land is thus sold, a provision should be inserted in the conditions of sale requiring the deposit by the purchaser of a sum equal to 25 per cent of the amount of his bid, and in default of such deposit the property should forthwith be again put up and sold.

24. The full amount of purchase money shall be paid by the purchaser before the sunset of the 15th day from that on

which the sale of the land took place, or if the said 15th day be an authorized holiday, then before sunset of the first office day after such 15th day.

25. Sales of land under the above rules require the confirmation of the Deputy Commissioner, unless the sale proceeds are below Rs.50, in which case the Amildar himself is competent to confirm the sale after the expiry of 30 days.

26. Applications granted by the Amildar are to be considered conditional, pending the disposal of all appeals, if any, under Chapter XIII of the Code.

27. When an appeal is admitted, it shall be the duty of the admitting authority forthwith to send a notice to the Amildar informing him of the fact. If no such intimation is received by the Amildar within two months after the expiry of the period allowed by the code for appeals, he will understand that no appeal has been admitted, and proceed to register the person to whom the land has been granted as if no appeal has been made. If an appeal is admitted and notice of the same granted to the Amildar, he should await the orders of the appellate authority.

28. The permission granted by the Amildar to an intending occupant to enter upon occupation shall be in writing, in Form No 2, Appendix D.

29. If in any case an appeal happens to be admitted after the applicant has been put in possession, his possession should not be disturbed without an express order of Government.

SEC. 59. Imposition of fines for unauthorized occupation of land.

XXI. When a person occupies, without permission previously obtained, for purposes of cultivation, land not set apart for any special purpose and not liable to be sold under the rules, no fine should ordinarily be imposed, if he, simultaneously with entering upon possession, submits an application in the prescribed form. A favourable season often tempts ryots to take up land for cultivation without waiting for orders, and there is no object in preventing such a tendency. A Patta may be issued to the person thus occupying, subsequently to his entering upon possession of the land, as if he had obtained it on application, without subjecting him to the payment of any fine, but if on any special grounds the imposition of a fine is deemed necessary, the Deputy Commissioner may impose such fine as he thinks proper, after recording his reasons fully in writing. The occupation of land without authority however shall not give the occupier a preferential right over any prior applicant for the same land, nor will it exempt the land from its liability to sale in a public auction when there are circumstances which render such a sale necessary. If the land is, without permission previously obtained, taken for non-agricultural purposes, the Deputy Commissioner may impose a fine at his discretion, not exceeding Rs.50, the orders of Government being obtained when a larger fine is considered necessary.

SEC. 61. Disposal of new alluvial formations.

XXII. New alluvial formations should, as a rule, be sold in Public Auction, subject to the payment of the assessment fixed by the Survey Department, but if there are any individuals having the prior right of occupancy under Section 61, the Deputy Commissioner should offer the lands to such individuals on a fair valuation prior to disposing of them by sale.

SECS. 63 & 64. Toddy Contractor must arrange with occupant of land for tapping Shendi trees which if reserved cannot be felled by occupant.

XXIII. 1. No toddy contractor or Izaradar under Government has a right to enter upon the land of any occupant without his consent; and the occupant is free to cut down and dispose of the shendi trees standing on his land, at his pleasure, except in cases where the Government right to such trees has been expressly reserved to Government at the time of the grant of the land. But he cannot tap such trees, as the toddy contractor alone has a right to tap them after obtaining the occupant's consent.

Government sanction necessary for an occupant constructing tanks on his land.

2. An occupant is at liberty to construct tanks on his lands, but he can only do so when the construction does not cut off the supply of any other public or private tank, or interfere with the cultivation or drainage or irrigation of any lands in the vicinity so as to give just cause of complaint. The work will be liable to be stopped on its being found to interfere with the existing public or private rights. The ryots should therefore be advised to obtain the sanction of the Government before constructing tanks on their lands.

Assessment to be altered in the case of lands appropriated for purposes unconnected with agriculture.

3. The appropriation of agricultural land to any purpose unconnected with agriculture within the meaning of Section 63 shall be considered to mean quarrying, brick-making, removal of the soil for other purposes, and such other operations as are calculated to render the land unfit for cultivation or to interfere materially with its value as security for the land Revenue, but not the building of houses and such other constructions which are likely to enhance its value. In the case of agricultural land appropriated for any purpose (as above defined) unconnected with agriculture, the assessment fixed for purposes of agriculture shall be liable to be altered under Section 48.

Occupant fined.

4. The fine leviable under para 3 of Section 63, for appropriation of agricultural land as above defined, for any purpose unconnected with agriculture, shall not exceed 25 times the annual assessment fixed for purposes of agriculture.

Fine for unauthorized appropriation for purposes unconnected with agriture.

5. The fine leviable under Section 64 for unauthorized appropriation shall be fixed by the Deputy Commissioner at his discretion, but shall not exceed thirty times the annual assessment fixed for purposes of agriculture.

In exceptional cases, fine to be fixed by Government.

6. In exceptional cases, the amount of the fine to be imposed by the Deputy Commissioner, whether under Sections 63 or 64, will be specially fixed by Government, at such rate as they deem fit, notwithstanding anything contained in the foregoing Rules.

Transfer of Puttas in accordance with decrees of Court.

SEC. 67. XXIV. 1. The consent of the registered holder is unnecessary for transfers sanctioned by decrees of Court, or for transfers of land, in which the registered holder's right, title and interest has been purchased at auction sales held in execution of a decree of court. The Deputy Commissioner shall, on the application of any of the parties to the suit, or of the auction purchaser, and on production of an authenticated copy of the decree or certificate of sale, as the case may be, and a certificate of delivery of possession in pursuance thereof, at once order the change of registry. In cases, however, in which a certificate of possession cannot be produced, as for instance, where on decree passed, possession is ceded without execution proceedings, and the decree is apparently final, the case should be dealt with as provided in para 8, Rule XXVI, in regard to applications for change of registry presented by only one of the parties to the transfer.

Transfer of Registry upon a declaratory decree.

2. In cases where transfer of registry is sought under a declaratory decree on which no execution can be taken out, *i. e.*, where the decree merely declares the title to be vested in a particular person so as to entitle him to registration, the Deputy Commissioner shall, on production of an authenticated copy of such decree, at once order the transfer of registry.

Procedure to be adopted as regards the transfer of Putta on the death or absence of a registered occupant.

SEC. 68. XXV. 1. On the death of a registered occupant, leaving several sons or other heirs, the name of his eldest son, or of the principal heir, should be registered, if they are members of an undivided family, but if they are divided, with separate enjoyment, the names of all the heirs should be registered, either separately, or jointly, according as the lands themselves are divided or not.

2. If the succession is disputed, the Deputy Commissioner should hold a summary enquiry as to who has the right to

succeed to the property of the registered holder, according to the principles of the law of succession which govern the case, and publish a notice in the village concerned that the registry would be made and putta issued in the name of the person found to be entitled, unless a declaration is filed within three months from the date of notice by any person objecting to the registry, stating that he has instituted a suit in a Civil Court to establish his superior title, and an authenticated copy of the plaint in the suit is produced. If no declaration is filed, the registry should be made, as stated in the notice, at the expiration of three months. If a declaration is filed, the result of the suit should be awaited before taking further action. The notice, besides being published in the village, should be served on all persons who may have advanced claims for the registry at the summary enquiry.

3. In case of the disappearance for more than seven years of the registered holder of a holding, and in the absence of any evidence to shew that he is still alive, he should be considered as dead and registry transferred in the names of his heirs.

4. In cases in which there are no heirs who claim the registry, it may be made in the name of the person in possession of the lands, unless the property is sufficiently large to make it worth the while of Government to assert their right of escheat.

XXVI. 1. Notice of an absolute relinquishment may in any District be given on or before the 30th April of the official year for which the relinquishment is intended. SECS. 70 & 71. Relinquishment of lands.

2. Notice of an absolute relinquishment shall be in Form No 3, Appendix D.

3. Notice of a relinquishment in favor of a person or persons, and the written agreement of such person or persons, shall be in Form No 4, Appendix D.

4. Every notice and every agreement given under this Rule shall be attested by two respectable witnesses, with a declaration that "A. B., who has executed the above is the person he represents himself to be, and that he has affixed his signature in our presence." It should however be understood that the Amildar who receives any such notice or agreement will be held responsible for exercising due care in ascertaining the identity of the person who has signed the same, notwithstanding that such notice or agreement has been duly attested as herein-before required.

5. When two registered occupants hold one Survey-field, and one of them relinquishes his share absolutely, the share thus relinquished shall be offered in the first instance to the remaining occupant before it is offered to any one else, and in the event of his declining it, the portion relinquished, if already divided, and in separate possession, may be treated as a separate sub-number and given to another; but if the land is not divided, and in separate possession, and the sharer refuses to take up the land, the relinquishment must be refused.

6. When there are more occupants than two in a field, and any of them relinquishes his share, it shall be offered, as provided in the preceding paragraph, to the remaining occupants in the first instance, beginning, in the event of their failing to settle the matter amongst themselves, with the largest sharer, and so on to the least; or the resigned portion may be divided amongst the remaining sharers in such proportions to each as they may agree to. If the co-sharers do not agree to take up the land, it should be dealt with under the preceding para.

7. If the land has been transferred to the person in whose favor the relinquishment is made, by a registered deed of conveyance or any other kind of instrument transferring the occupancy of the land, both the notice and agreement above referred to may be executed before the Registrar or Sub-

Registrar registering the document, who shall attest and then forward the same to the Amildar, in order that they may be given effect to at once, so far as the particulars of the holding are found to be correct. In such a case they need not be endorsed by any other witness.

8. If, in any case in which the transfer has been duly made by a deed duly executed and registered, and the transferee put in possession, the transferee applies for registration in his name, the transferer not having presented the relinquishment, the Deputy Commissioner should issue a notice and publish it in the village concerned that the transfer of registry has been applied for, and unless objection is made to it within three months from the date of publication of such notice, the transfer would be ordered at the end of that time. A copy of the notice should also be served on the transferer in whose name the registry stands. If objection is made, a summary enquiry should be held, and according to the results thereof the transfer should be ordered or not, leaving the aggrieved party to seek redress in the Civil Courts.

9. In the case of a temporary transfer of land by the registered holder, on lease, mortgage, &c., the registry should not be altered unless both the parties to the transfer present a joint application duly attested.

10. Where parties who have no documents of title claim registry in their names, and if the Deputy Commissioner on a summary enquiry finds them to have been in possession and to have paid the revenue as reputed owners for twelve years or more, the transfer of registry may be made after notice as provided in para 8 *supra*, the party aggrieved by the Deputy Commissioner's order being at liberty to seek redress in the Civil Courts.

11. In the case of unsurveyed villages, the land to be relinquished shall be described by boundaries or otherwise, so as to furnish sufficient information for their identification. In surveyed villages the mention of survey numbers is sufficient.

12. All notices and all agreements received shall be kept in separate files in the records of the Amildar, who shall cause the necessary entries regarding them to be made in the Village Accounts.

13. It shall be the duty of every Village Accountant, if so desired by any occupant in his village, or by any person in whose favor land is about to be relinquished by any occupant in his village, to prepare any notice or any agreement that may be necessary, without fee or charge of any kind.

14. All relinquishments shall be registered, in the order in which they are received, in a book to be kept for the purpose.

15. Vaisakhai crops on lands absolutely relinquished may be cut and removed by the owner till the 5th June, or such other later date as the Deputy Commissioner may name, in the revenue year in which the relinquishment takes effect.

Sub-division of Survey Fields.

Secs. 109 & 119.

XXVII. Sub-Divisions of survey-fields may be permitted on the following conditions :—

1. In the case of waste lands applied for for cultivation, or of lands to be sold for arrears of revenue, sub-division may be permitted, if the portion to be divided and that left after division is not less than two acres in the case of Dry, half-an-acre in case of Wet, and quarter-acre in the case of Garden.

2. For purposes of relinquishment also the above minima should be adopted, unless the portion to be relinquished has been destroyed or rendered useless by floods or other causes beyond the ryot's control, in which case sub-divisions of smaller areas may be permitted.

3. For the purpose of transfer by sale, gift, division, or otherwise, among the several sharers, sub-divisions may be permitted without limit.

4. On the sub-division of a field, each divided portion should be registered under a separate Sub-number (Paiki number), or letter, and duly recorded in the Revenue Accounts. Each divided portion should be durably demarcated at the expense of the parties concerned, when its area does not fall below the minima above fixed, but when it falls below it, it would be sufficient to record the measurements, the occupants making such arrangements as they may think proper for the recognition of the boundaries of their fields.

5. A record of all measurements of sub-divisions of Survey-fields made by the Revenue Department after the survey should be recorded in a Register, and one copy of it kept in the Amildar's Office, another in the Deputy Commissioner's Office, the third being furnished to the Shanbogs. The register shall be in Form No. in Appendix

6. In Talukas not yet surveyed, it will suffice if the sub-division of old numbers is recorded in the Shanbog's account.

7. No sub-division should be permitted if the lands divided are not made readily accessible from without.

8. After sub-division the sub-divided portion should be treated in all respects as a separate field.

SEC. 112. Grant of lands for special purposes with special concessions.

XXVIII. 1. Deputy Commissioners may grant occupancy of lands with special concessions under the Rules given in Appendices E, F, G, H, and I, for the following purposes:—

(*e*) for coffee and cinchona cultivation;

(*f*) to encourage private individuals to undertake the repairs of dilapidated Government tanks and wells;

(*g*) to encourage private individuals to undertake the construction of Chattrams, Musafirkhanas, &c.;

(*h*) to encourage private individuals to plant forest and fuel trees on waste lands; and

(*i*) to encourage garden cultivation.

2. Whenever the occupancy of land is granted on special terms, whether as to the amount of assessment or as to the condition of the tenure, a written instrument shall be executed by the Deputy Commissioner, clearly setting forth the terms of the grant.

SECS. 122 & 125. Partition of lands by Dy. Commissioners or under orders of Civil Courts.

XXIX. These sections apply to the partition to be made by the Deputy Commissioners, either on their own authority or on the application of Civil Courts under Section 265 of the Civil Procedure Code. The owners of lands are at liberty to sub-divide their lands at their pleasure, and when applications are made for the sub-division of assessment or quit-rent, with reference to the partition effected among themselves, the Deputy Commissioners may apportion the assessment or quit-rent, whether a Revenue Survey has been introduced or not. In the case of Patta lands in surveyed villages, the assessment of the portion divided should be fixed in communication with the Survey Department, an equitable adjustment being made at the discretion of the Deputy Commissioner in unsurveyed villages. In regard to Inam lands bearing a lump quit-rent, the quit-rent chargeable on the divided portion should bear the same ratio to the income derived from the said portion, as the total quit-rent of the estate bears to the total income derived from the entire estate. The Deputy Commissioners are at liberty to refuse the apportionment of the quit-rent, if from want of sufficient information in regard to the income or other causes, the apportionment may be considered inexpedient in the interests of Government.

SECS. 130 to 133. Boundary Marks.

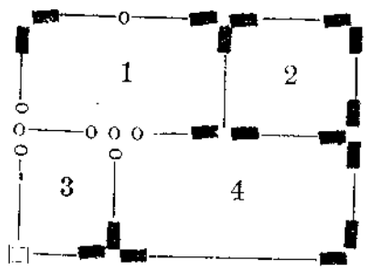
XXX. The boundary-marks erected by or under the orders of the Survey Department are stones and mounds of earth or stones of the following dimensions:—

1. Stones of one to two cubits in length, half buried in the ground, and the exposed portions whitewashed.

2. Mounds of earth or stones eight cubits long, four cubits broad at bottom, $\frac{3}{4}$-cubit at top, and $2\frac{1}{4}$ cubits high.

3. Stones two feet in length and nine inches square, of dressed stone, allowed at corners of fields in lieu of mounds of earth.

4. Each corner of a field or survey number should be defined by two mounds, or by three stones, or by one large stone, as shown in the subjoined examples. The mark o represents a stone, the mark ▬ a mound, and the mark □ a large corner-stone.



5. When the interval between adjoining boundary marks placed at the corners of numbers exceeds 25 and falls short of 50 gunta chains in length, there should be a single mound or two stones in place of it, about the middle of the interval and on the line of boundary, but when it exceeds the above, there should be a mound or stone set up at every 20 chains, along the line of boundary. In addition to these marks there should be a stone at every large bend or angle in the line of boundary.

6. When a number is bounded on any side by a nullah, river, canal, hedge, embankment, or stone wall, no boundary marks are required on that side; and any cultivator who may have good reasons for wishing to do so, shall be at liberty to form a new hedge, ditch, canal, embankment or stone wall, along any side of a number hitherto defined by boundary marks, so long as he does not remove without permission the mounds and stones fixed by the survey.

7. In low situations liable to be flooded by the overflow of nullahs or rivers, and in a rainy climate where the earthen mounds would be liable to be washed away during the monsoon, stones are required at the corners in addition to mounds of earth.

8. For the purposes of Sections 131 and 132, when any mound is found to be not less than one cubit in height, it is to be considered in good repair, but when it has sunk below this height, it is to be considered in want of repair, and is to be raised to the height of $2\frac{1}{4}$ cubits.

9. Repairs to boundary marks in Government unoccupied lands, except free pasturage assigned to village communities, are to be made by Taluk officers at the expense of Government. The purchasers of the pasturage of Government waste lands shall not be liable for the repairs of boundary marks thereon.

10. The village community shall be held responsible for the due maintenance and repair of all the marks demarcating the boundaries of the free grazing lands assigned to their village, and for any charges reasonably incurred on account of the same by the Revenue Officers, in cases of their alteration, removal, or disrepair.

11. To provide funds for the repair of boundary marks in Government unoccupied lands as above, the Deputy Commissioner is authorized to disburse from the Treasury annually a sum not exceeding Rs.5 for every 1,000 acres of Government unoccupied land, or five per cent of the total amount realized and credited to Government from the grazing of such lands, whichever may be the larger amount and dispose of it for the repair of the boundary marks.

12. In Taluks where boundary marks in Government unoccupied land are very numerous, or when for any reason the allowance of a larger sum than Rs.5 for each 1,000 acres of waste land may appear necessary, the Deputy Commissioner may, with the sanction of the Government, disburse the sum of Rs.10 for every 1,000 acres of Government unoccupied land, or 10 per cent of the amount realized from the grazing of such lands, whichever may be the larger amount.

13. The amount allowed for the repair of boundary marks in Government unoccupied land will be paid on the 1st January of each year, or on whatever other date may be ordered, to the patel of the village, who will be held responsible for the maintenance in due order of the boundary marks.

14. On the introduction of a Survey Settlement into a District, the Superintendent of Survey shall furnish the Deputy Commissioner with a map, showing the position, size and description of the boundary marks erected or prescribed by or under the orders of the Survey Department, with a view to his taking measures for their maintenance and repair, under Section 132.

15. Notwithstanding anything contained in the preceding para, the duty of enforcing the responsibility of landholders under Section 131, for the maintenance and good repair of boundary marks shall also devolve upon the Deputy Commissioner from the date of the erection of those marks.

16. The digging of earth close around a boundary mark is prohibited. A space of two cubits in breadth all round each such mark is to be left untouched, so as to prevent injury to the mark.

17. No cultivation shall be allowed along the boundaries of survey numbers, where a strip of land is required to be left unploughed to the width of from two to three cubits in the case of dry lands, and of about one cubit in the case of wet lands where no well defined boundary exists.

Secs. 146 to 151. Precautionary measures by removal or attachment of crop and lands to secure the land revenue.

XXXI. When the Deputy Commissioner considers the application of these sections is necessary for the realization of Revenue due to Government in any particular locality or tract of country he shall obtain the special orders of Government.

Recovery of Land Revenue. When and by whom Revenue is to be collected and remitted.

Sec. 152. Khists or Instalments.

XXXII. 1. The land revenue, except when it is recovered under the provisions of Sections 146 to 150, shall, until further orders, be payable in khists or instalments, at the periods and in proportions (expressed in annas of each Rupee of demand) set forth in the subjoined table :—

December.	January.	February.	March.
Annas 2	Annas 6	Annas 6	Annas 2

When the demand for a year is less than a Rupee, it will be collected at the 1st Instalment in a Lump

2. Provided, however, that when the demand for the year shall in any case be less than one Rupee, the amount due shall be collected in full at the first Instalment.

Date on which each Instalment is due.

3. The 20th of each month, as given in the table appended to this Rule, shall be the latest date on which the instalments shall be paid.

Payments to be made to Patel.

4. All payments of revenue shall, as a rule, be made to the village Patel, who shall grant receipts for the same in the prescribed form, duly attested by the village Shanbog.

And in special cases to Amildar or Deputy Commissioner of the District or of other Districts.

5. Provided, however, that such payments, may, at the option of the payer, be made into the Taluk or District Cutcherry in which the land is situated, or into the Treasury of another Taluk or District, in which case due intimation of the payment shall be given by the officer receiving the

payment to the Shanbog through the Amildar of the Taluk in which the payment is due, in order that the requisite entry may be made in the village accounts.

The remittance to a Taluk or District to be accompanied by a memo giving particulars.

6. Provided further, that when a person having to pay arrears of land revenue or other demand pays the amount due into the Treasury of a Taluk or District, the remittance shall be accompanied by a Memo, giving full particulars of the amount due and of the properties on account of which the payment is made.

It must however be understood that where the payment is made into a Taluk or District Treasury, it cannot vitiate the sale of any property made prior to the communication of the payment to the officer conducting the sale, but the person making the payment is at liberty to produce his vouchers to prove the payment, in order to prevent either a sale under Section 175 or the issue of any processes of the nature specified in Section 156.

Patel shall be responsible for Revenue collected by him.

7. The Patel shall be responsible for the safe custody of all revenue collected by him, and the Shanbog shall obtain the Patel's signature in his Rôz Khirdi, in token of his having collected the sums therein shewn.

When and how Remittances should be made.

8. The Patel shall remit into the Taluk Cutcherry the whole of the collections made between the 1st and 24th of each month, on or before the 25th of that month. The Shanbog's Khirdi shall accompany every such remittance, to enable the Taluk authorities to see that the remittance corresponds with the sums entered in the Khirdi. Should the Patel fail in any month to make the remittance as aforesaid, it shall be the duty of the Shanbog to present his Khirdi to the Taluk Cutcherry, punctually on the 25th of the month, and the Amildar, or in his absence the Shevistadar, shall thereupon take immediate steps to recover from the Patel the amount which he has failed to remit.

Revenue may be paid by any one claiming interest in land

9. The Government revenue in arrear may be received from any one who tenders the same, whether he be the mortgagee or other person claiming interest in the land upon which the arrear is due, or in any property which is liable to be sold for the arrear under the provisions of the Code; and the person so paying the revenue is entitled to a receipt for the amount paid; and the Shanbog shall, in such case, enter both in the Receipt and in the Day Book the name of the payer and of the person on whose behalf the payment is made, and the No. of the land for which the payment is stated, by the payer, to have been made. But the mere payment by one who is not the registered owner is no ground whatever for the revenue officials interfering in any way with the rights of actual possession and enjoyment of the land or property sought to be protected by such payment. Nor shall the payment be received from any one who is not the registered owner when the revenue is tendered at the same time by the registered owner or by any one in his name.

Effect of such payment when made by a person other than the Registered owner.

Interest when and at what rate chargeable.

SEC. 154 XXXIII. From the 1st of the month following the last instalment of the year as set forth in Rule XXXII, interest shall be chargeable upon all arrears of revenue at the rate of one pie per rupee per month,—portions of a month and fractions of a rupee being omitted in the calculation.

Arrears how to be collected.

SEC. 156 XXXIV. When an arrear of revenue may remain undischarged and no arrangement for securing the same shall have been entered into to the satisfaction of the Amildar, the arrear may be recovered by adopting all or any of the modes specified in Clauses *(b)* to *(f)* of Section 156. But as the landed estate in respect of which the arrear is due is regarded as the security of the public revenue, it shall, except in the case of village service lands, religious and charitable endowments, and unenfranchised Inams, be in the first instance sold, before proceeding against the personal or other immoveable property of the defaulter. Provided, however, that it shall be at the option of the

Landed Estate to be proceeded against in the first instance.

debtor to yield up his personal property, or a portion thereof, to discharge the debt, in preference to the sale of his lands, and, if he so desires, such personal property shall be sold in the first instance.

But moveable property may be surrendered by defaulter to prevent sale of land.

SEC. 158 Notice of Demand.

XXXV. 1. The notice of demand referred to in Section 158 should be issued in every case before any coercive process is employed. It shall be in Form No. 1 Appendix J, and issued under the seal and signature of the Amildar, or of such officer as may be appointed by the Deputy Commissioner in that behalf. The notice should clearly specify the amount of the arrear and the date on which it became due, and intimate that if it be not paid, together with interest and costs of process, within 15 days from the date of the service thereof, the defaulter's occupancy or alienated holding, in respect of which the arrear is due, will be liable to forfeiture and sale under Section 54.

2. The person entrusted to serve the notice above referred to should deliver a copy to the defaulter, or to some adult male member of his family, at his usual place of abode, or to his authorized agent, or affix a copy thereof on some conspicuous part of his last known residence, or on some conspicuous part of the land on which the arrear is due. The mode in which the notice has been served shall be duly certified by the server of the process and reported to the Amildar.

Notice Fee.

3. For every notice issued under the preceding Rule, a fee shall be leviable, in accordance with the provisions of Rule XLIV.

Interest or fees cannot be remitted without sanction of Government.

4. No notice fees or interest leviable under the Rules shall be remitted by the Deputy Commissioner without the previous sanction of Government.

SECS. 54 & 159. Forfeiture in what case to be declared.

XXXVI. 1. It should be clearly understood that the land in respect of which the arrear is due should not be sold before forfeiture of the holding is declared under Section 159.

Forfeiture to be restricted only to such portion or portions of an estate as may be sufficient to realize the arrear.

2. If the holding, in respect of which the arrear is due, consists of two or more survey numbers, or sub-numbers, and the Deputy Commissioner shall be of opinion that the whole amount of such arrear could be realized by the sale of some one or more only of such numbers, or sub-numbers, he shall restrict the forfeiture to such one or more of the said numbers or sub-numbers. He may also cause a survey number to be sub-divided to such extent as sub-division may be permissable under the Rules for the time being in force, and declare any portion so sub-divided forfeited to Government, and thereupon proceed to sell the same, as a separate sub-number, for the recovery of the arrear due.

Sub-division of estate may be ordered before forfeiture is declared.

Service Inam lands not subject to forfeiture.

3. Inam lands held for village service,—revenue or police,—or for religious or charitable purposes, shall not be declared forfeited and sold, but the Deputy Commissioner shall proceed to realize the demand against the holders by the attachment and sale of their personal and other moveable property. In the case of unenfranchised Inams on which arrears may be due, the Deputy Commissioner may, in the event of his failing to recover the arrears by the sale of the defaulter's personal or other immoveable property, obtain the sanction of Government to the Inams being declared forfeited and resumed.

Where forfeiture is not for sale but for bringing the estate under Circar management or otherwise disposing of it, sanction of Government must be obtained.

4. The power of declaring a holding forfeited to Government shall ordinarily be exercised by the Deputy Commissioner under Section 159, only in those cases in which the forfeiture is deemed necessary for the purpose of selling the holding for the realization of the revenue due thereon. Where the forfeiture is intended, not for the purpose of sale but for taking possession and otherwise disposing of the holding, the previous sanction of Government shall be obtained in each case.

SEC. 163. XXXVIII. 1. Section 163 provides for the arrest and imprisonment of a defaulter only in those cases in which the Deputy Commissioner shall have reason to believe that the defaulter is wilfully withholding payment of the arrears, or has been guilty of fraudulent conduct in order to evade payment, but as such cases will be rare, and the enforcement of the provisions of the said section is likely to entail undue hardship and severity, the sanction of Government shall be obtained by the Deputy Commissioner before the arrest of a defaulter is ordered.

Arrest or imprisonment of defaulter—when and by whom to be made.

Time and place of arrest.

2. For the purpose of making an arrest under Section 163 no dwelling-house shall be entered after sunset or before sunrise, and no outer door of a dwelling-house shall be broken open.

Debt not extinguished by arrest or imprisonment.

3. Arrest or imprisonment under Section 163 does not extinguish the debt due to Government, but the defaulter cannot be re-arrested for the same debt.

Subsistence allowance to be fixed by Deputy Commissioner.

4. When a defaulter is committed to jail, the Deputy Commissioner shall, taking into consideration the rank, race and nationality of the defaulter, fix for his subsistence such daily allowance as may be deemed proper, but the allowance shall in no case exceed one Rupee per diem. The subsistence allowance so paid, as well as all costs incurred in connection with the issue of processes for the arrest and imprisonment of the defaulter, shall be recoverable from him in the same manner as arrears of revenue.

Attachment of Villages under Section 165 of the Code.

SEC. 165. XXXIX. 1. When any village is attached under Section 165, a notice of attachment shall be issued in Form No. 3 Appendix J, and if the property is taken under Government management, there shall further be a notice of assumption in Form No. 4 Appendix J.

Notice of attachment.

Register of Villages attached.

2. A register of villages attached under the above rule shall be kept in the Deputy Commissioner's Office for record, in Form No. 5 Appendix J.

Attachment to be recommended in exceptional cases.

3. The attachment of a village under Section 165 will not be sanctioned except under very exceptional circumstances. Full particulars of the necessity for bringing the estate under Government management should, in each case, accompany the Deputy Commissioner's recommendation to Government. Such recommendation may be made where it is considered that the sale of an estate would press heavily upon the defaulter, who has a claim to indulgence on account of losses sustained from adversity of season or other unavoidable cause, or where the defaulter and the sole proprietor of the estate in respect of which the arrear so due is a minor, and where it is deemed necessary, not only for the better preservation of the property but also for the realization of the Government dues, that the estate should be placed under attachment.

Sales.

SECS. 171 to 192 XL. In addition to the procedure in respect of sales laid down in Sections 171 to 192, the following rules shall be observed:—

Form of Sale Notice under Section 172.

1. The written notice of sale of moveable property shall be in Form No. 6 Appendix J, and that of immoveable property in Form No. 7 Appendix J.

Notices and other formalities connected with sale to be strictly observed.

2. All notices and other formalities prescribed shall be strictly observed. The notice of sale shall be given due publicity, and the date of sale shall be so fixed as to allow the prescribed interval of time. In special cases the Deputy Commissioner may publish advertisements of sales in the newspapers.

3. All property, whether moveable or immoveable, should ordinarily be sold at the time and on the spot where it is attached or situated, but in the interests of the defaulter it may be sold in other places, due notice of the time and place of sale being given in the notice.

4. At the appointed time and place the property specified in the proclamation shall be put up to auction and disposed of to the highest bidder, care being taken to secure the attendance of all likely bidders.

Property to be put up to auction at the appointed time and place.

5. The moveable property shall be sold in one or more convenient lots, as the officer conducting the sale may consider advisable, and the purchaser shall not be permitted to carry away any part of the property until he has paid for the same in full. In the case of lands, buildings or other immoveable property, each number or sub-division of a number, as set forth in the proclamation, shall be sold separately, and in the order mentioned therein, unless in the interests of the defaulter or of Government it is considered expedient to sell more than one number in a single lot, or out of the order mentioned in the proclamation; provided always, that when the sale of one or more lots or numbers is found to be sufficient to discharge the arrears due, with interest and costs, the sale of the remaining lots or numbers shall be forthwith stayed, and a report made to the Deputy Commissioner.

Moveable property to be sold in convenient lots.

And immoveable property according to numbers.

Only property sufficient to discharge the arrears should be sold and the sale of remaining property stayed.

XLI. 1. When the estimated value of moveable or immoveable property does not exceed Rs.50, the sale may be entrusted to the Hobli Sheikdar, and where such value exceeds Rs.50, the sale shall be conducted by the Amildar or such other officer as may be specially empowered in that behalf by the Deputy Commissioner. When the value of the property exceeds Rs.1,000, the sale shall be conducted by the Deputy Commissioner or one of his Assistants. Sec. 173.

Officers who may be entrusted with sales.

2. Before a sale is held, or the Sheikdar or other officer is deputed for the purpose of conducting the same, the Amildar shall satisfy himself in each case that the sale proclamation has been duly published, so as to ensure the attendance, as far as possible, of likely bidders on the date fixed for sale.

Amildar should satisfy himself that the sale proclamation has been duly published before deputing an officer to sell.

3. Proper arrangements must be made for conducting and concluding a sale on the very date mentioned in the proclamation. The sale must be commenced at the appointed time and closed by the hour named in the proclamation. But if, for any special reasons, it is considered desirable to adjourn the sale to the next or the following day, the reasons for such adjournment should be recorded in writing, and the sale conducted and completed on the next or following day, provided, however, that no sale shall be adjourned for more than three days, including the date fixed in the proclamation on which the sale commenced.

Sale to be held and closed on the date fixed in proclamation.

May be adjourned in special cases.

But not for a longer period than three days.

4. If all the properties specified in the proclamation and advertised for sale on a particular date be not sold on that day, the sale of the properties remaining unsold shall be held on the next and the following days, provided they are not close holidays.

Sale once commenced to continue from day to day till all the properties included in the proclamation are sold.

5. When a sale is held in or within the precincts of the Amildar's Office, the Sheikdar, or other officer conducting the sale, shall not adjourn the sale without the leave of the Amildar, if present at the Taluk Head Quarters.

Amildar's permission necessary in certain cases for adjourning a sale.

6. It shall be competent for any person claiming an interest in any moveable or immovable property which has been ordered to be sold, to tender the full amount of the arrears of revenue, with the interest thereon, and all charges which have been incurred in demanding the arrears, or in taking the steps necessary for sale, and thereupon the sale shall be stayed, provided that such tender be made before the property is actually knocked down to the highest bidder.

Tender of arrears previous to sale.

7. In the event of the said arrears having been already paid to any officer other than the officer holding the sale, the sale shall be stayed on the production of the receipt for such payment, duly signed by the officer who received the payment, provided that such receipt is produced before the property is actually knocked down.

Stay of sale on payment.

Or tender of security.

8. When a defaulter tenders security, it shall be lawful for the Deputy Commissioner, or other officer empowered by the Deputy Commissioner in that behalf, to accept it and postpone the sale of the defaulter's property, upon such conditions and until such time as he may appoint. Provided that such security be tendered in sufficient time before the date fixed for sale, so as to admit of the requisite enquiry being made, as to the sufficiency or otherwise of the security tendered, and orders issued for staying the sale. In the event of default being made in the performance of such conditions, the Deputy Commissioner or such officer may sell the property after the issue of a fresh proclamation of sale in the usual course, and proceed against the defaulter or his security, or both.

Land sold may in certain cases be bought in by Government.

9. In the case of land sold for arrears of revenue, when there is good reason to suspect combination to prevent the value of the land being realized, the officer conducting the sale is authorized to bid on behalf of Government, whether there are bidders or not, up to an amount not exceeding the arrear due. When there are no bidders, the land may be bought in for Government for the upset price.

Apportionment of quit-rent of inam land among several shareholders for the purpose of getting only the defaulter's share for arrears.

10. Where the Quit-Rent due on an Inam land or village has been apportioned amongst several shareholders, and the lands held by each sharer are separately registered in the accounts, the holder of each sub-divided portion will be responsible for the quit-rent due on his portion only, but where no such apportionment of quit-rent has taken place, and the proprietory right in an Inam village is held jointly by several persons, the joint liability of the shareholders should be insisted upon for arrears of quit-rent due to Government. If, however, shareholders, notwithstanding that the lands are not divided, wish to have their shares separately registered, so that each sharer may pay his quota of the Government dues, and produce before the Deputy Commissioner an agreement signed by all of them, containing a full statement of the shares held by each and the amount of quit-rent payable by him, their several shares may accordingly be registered; and in such case, or where the shares have already been separately registered as Vrittis, the quit-rent due by each sharer may be collected from him. If any shareholder falls into arrear, his share shall first be sold, and if it does not realize the arrear due, the joint responsibility may then be enforced and the other shares also sold, after due notice. The purchaser of the share sold will acquire all the rights of the defaulter, but free of all encumbrances created by him.

Deputy Commissioner may examine accounts for apportioning assessment or quit-rent before sale.

11. When a portion of an Inam land or village, or any other estate, subject to the payment of a lump assessment or quit-rent, has to be sold for arrears of revenue, the assessment or quit-rent of such portion shall, previous to the sale, be apportioned by the Deputy Commissioner in the ratio which the actual or estimated annual income from such portion of the estate bears to that of the whole estate; and in view to ascertaining such ratio, the Deputy Commissioner may demand from the defaulter the accounts of his estate for three years next preceding that on which the arrear has accrued, and if the defaulter refuses to furnish such accounts, or delays for more than one month, and the required information cannot be otherwise obtained, the entire estate may be sold.

And to ascertain the real defaulters.

12. It very often occurs that portions of lands registered in the name of one are actually held by another, they having been informally transferred to him or obtained in the course of inheritance. If in such cases the registered holder falls into arrear, every endeavour should be made by local enquiry to ascertain whether the arrear is really due by the registered holder on the lands in his possession, or by the unregistered

holders of the lands in actual enjoyment. If the enquiry shows that the arrear is due on the land in the possession of the registered holder, the unregistered sub-sharers or aliences having paid the assessment on the portions held by them, the lands of the latter should not be sold until all the lands in the possession of the real defaulter are first sold. Likewise, if the enquiry shows that the sub-sharers or the aliences are the real defaulters, the lands in their possession should be sold at first and the lands of the registered holder proceeded against afterwards.

Form of Certificate of Sale of Immoveable Property.

13. The certificate of sale of immoveable property to be granted under Sections 187 and 188 shall be in Form No. 8 Appendix J.

Register of Property sold.

14. Registers of moveable and immoveable property sold shall be kept in the Taluk, in Forms Nos. 9 and 10 Appendix J respectively, appended.

SEC. 194 Advances to Agriculturists.

XLII. No advances should be made to agriculturists for the purchase of seed or cattle, or for any purposes other than those specified in the Land Improvement Act, without the sanction of Government.

SECS. 201–205. Procedure to be adopted in enquiries under the Revenue Code.

XLIII. 1. All enquiries which the Revenue Code or the rules framed thereunder require to be either formal or summary, shall be conducted in accordance with the provisions of Sections 201 to 204. All other enquiry not falling either under formal or summary shall be deemed to be *ordinary*. It may be conducted by the Deputy Commissioners or their Assistants personally, or by reference to the Amildars. The evidence in such enquiry, when conducted by the Deputy Commissioners themselves or their Assistants, need not in every case be recorded in full, unless, in view of the importance of the case, the officer conducting the enquiry considers it advisable to take down the evidence in full in writing. It will be sufficient if a brief summary of the evidence taken is recorded, with the opinion or decision of the officer holding the enquiry; but, where such enquiry takes place before the Taluk officials, the whole evidence shall be reduced to writing, and the same submitted, when necessary, to the Deputy Commissioner or Assistant Commissioner in charge of the Taluk, with a memorandum containing his opinion, on which the Deputy Commissioner or Assistant should record his decision in his own handwriting.

Provisions of Code of Civil Procedure to be followed in cases not provided for by the Revenue Code or Rules.

2. As regards the details in conducting the investigation of cases, framing of plaints and petitions of appeal, and other matters not provided for by the Code or Rules, the provisions of the Code of Civil Procedure in force for the time being shall be followed as far as possible. The provisions of the Limitation Act shall also be held applicable to Revenue Suits.

SEC. 221. Enquiry into cases not cognizable by Civil Courts.

3. All cases which under this Section the Civil Courts are debarred from taking cognizance of are adjudicable by revenue officers. The enquiry in respect of matters falling under clauses *(a)*, *(e)*, *(f)* and *(g)*, shall be *formal*; that coming under clauses *(b)*, *(c)*, *(d)*, *(h)* and *(i)*, shall be *summary*.

Classification of suits and grades of officers by whom they are triable.

4. All cases involving: (1) proprietary right to Sircar lands, (2) Inams, (3) charitable endowments, (4) mirasi luck of village officers, (5) disputed claims to boundaries, and (6) rights to irrigation, are not cognizable by the Amildars. The suits or claims in such cases should be instituted before the Deputy Commissioner or Assistant in charge of the Taluk. All other cases may be instituted before the Amildar, provided the value of the suit or claim does not exceed Rs.500, in which case the suit shall be instituted before the Deputy Commissioner.

Rules as to the disposal of claims to hereditary village offices.

5. In the disposal of claims to village offices, it must be remembered that the hereditary principle cannot be allowed to over-ride administrative necessities. It is essential that the holder of a village office shall be able to perform its duties. It follows therefore that if the hereditary claimant to the office is unfit, from old age, incurable disease, incapa-

city or bad character, it will rest with the Deputy Commissioner to appoint the next heir in law competent to hold the office. When the person lawfully entitled to succeed to the office is however a minor, he may be registered as the Huckdar, and a near relative may be appointed as a Gumasta in trust for him until he attains his majority. Sonless widows may also be, likewise, in special cases, registered as the Huckdar, a Gumasta being appointed for the discharge of the duties of the office, with a suitable allowance for the maintenance of the widow. In selecting Gumastas regard should be had to the wishes of the widow or minor's family, and if possible some one acceptable to them should be appointed, but a Gumasta once appointed should not be displaced merely because the incapacitated office-holder expresses a preference for some one else.

Dismissal of village servants for certain offences.

(*b*). The Government may dismiss from employment an hereditary village servant convicted of a criminal offence, but his right cannot be confiscated to the detriment of his heirs, unless the criminal act were done in the execution of his office. The cases are very rare where an entire alienation from a family of an hereditary huck would be justifiable, and such cases are not to be judged of according to the degree of atrocity attached to the offence, but according to the bearing which it has on the responsibility to Government of the village officer. A murder or rape would not entail forfeiture of the huck. But if a Shanbog or Patel be dismissed for treason, serious defalcation, or embezzlement of Government money, for levying an illegal cess from the ryots, or for fraudulent or clandestine enjoyment of Government land, his inam and privileges may be declared forfeited and pass away from his family. In such cases a divided brother or a cousin of the dismissed individual, having no joint interest with him, may succeed to the office and the rights attached to it, if considered in all respects fitted therefor, and no objection exists to such an arrangement.

Brahmin Patels or Shanbogs.

(*c*). Though there are grounds for objection to Brahmins filling the posts of Patel and Shanbog in the same village, it would be unjust to oust an incumbent therefrom and to deprive his family of their hereditary rights in the office on such a score. No Patel whose title to the office is undoubted, and who has been recognized as its incumbent, should be removed therefrom on the score of his being a Brahmin ; nor should the hereditary claims of the family in connection with it be prejudiced thereby ; but as it is essential that the offices of Patel and Shanbog shall be held by separate individuals, the incumbent, if holding both, may be requested to resign one to any member of his family he may desire to nominate to it, and such person, if fitted for the post, should be nominated thereto ; on the extinction of the family, in such a case, or when it becomes necessary to nominate an entirely new man, it will be quite proper to select a man of another caste for the office of Patel.

Emoluments attached to village offices not alienable.

(*d*). All emoluments attached to village offices are unalienable from the offices to which they are annexed, whether by sale, gift, mortgage or otherwise, and are not liable to attachments or other processes in satisfaction of judicial decrees.

Process Rules.

MISCELLANEOUS.

XLIV. 1. When practicable, processes for the recovery of arrears of Revenue should be made by the Government village officers and Taluk peons. This is part of their legitimate duty, and their services must be gratuitous. But where this cannot be done, batta peons and Amins may be employed.

2. In the case of processes issued for recovery of arrears of revenue, in summary and formal enquiries and other matters connected with the Revenue Administration, fees shall be collected at the following rates :—

	Amount leviable for purposes issued— By the Amildar or Deputy Amildar. Rs.	a.	By Higher Officers. Rs.	a.
I. For the service of Demand Notice under Section 158	0	4	0	4
II. For each Summons or Notice—				
(a) to a single Defendant, Respondent or Witness	0	4	0	6
(b) to every additional Defendant or Respondent or Witness residing in the same village, if the process be applied for at the same time ...	0	2	0	3
III. For every Warrant—				
(a) of Arrest, in case of every person to be arrested	1	0	1	8
(b) of Attachment...	0	8	0	12
(c) of Delivery of Possession ... ... In respect of every such Warrant, with an additional fee for the services of the officer entrusted with the warrant, for each day after the third day, beginning with the day on which the Warrant was issued	1	0	1	8
(d) if such officer is an Amin ...	0	8	0	12
(e) if such officer is a Peon ...	0	4	0	6
IV. For Proclamation, Injunction, or Order or every Process not otherwise provided for	0	8	0	12

3. Any party may deposit the cost of proceeding by railway, or conveyance, and in such cases the process-server shall be bound to proceed by such railway or conveyance.

4. It is not desirable that batta peons should be employed as occasion arises for their employment. The number of batta peons required in each Taluk or Head-Quarter office should be determined once for all with reference to the average collections of process-service fees during the preceding years, and the required number employed in each office. The number should be so fixed that their cost may be recovered from the amount collected during the year, and it may be altered from time to time under the orders of the Deputy Commissioner. The remuneration of a batta peon should not exceed Rs.7 per mensem, and of an Amin Rs.10 per mensem.

5. A register of fees charged and collected, and the salaries paid to batta peons and amins, should be maintained in each office, and the collections and payments credited and debited to a separate head in the Treasury Accounts.

Confidential nature of Official Papers.

6. Except in cases where the publication of official papers is duly authorized by Government, the communication of such documents to the newspapers or to any private person, except as provided for in the orders relating to giving copies to interested parties, is strictly prohibited.

Public Servants as Witnesses.

7. Public servants, when summoned as witnesses by the Civil or Criminal Courts in any matter, should be considered as absent on duty, and should not be put under stoppage. The other servants in the office must carry on their duties without extra remuneration during such short periods of absence. Precautions should of course be taken to prevent servants from causing themselves to be cited as witnesses to suit their own convenience.

Procedure to be followed in summoning officials under Madras Act III 1869.

8. When it is found necessary by Revenue Officers to require, under Madras Act III of 1869, made applicable to this Province under Government of India Notification, dated 27th August 1869, the attendance of any Government official not subordinate to the officer issuing the summons, due and sufficient notice should be given to the Head of the Division, Range, or Office to whom he is subordinate. And generally, all processes to any Government official should be served through the officer to whom he is subordinate.

Defence of Suits.

9. When suits are instituted in the Civil Courts against the Deputy Commissioners or other District Officers, for acts done in their official capacity, the fact should be immediately reported to Government, with a copy of the plaint and drafts of the answers proposed to be filed. The result of all suits instituted and authorized to be defended at the public expense should also be reported and a copy of the judgment and decree submitted to Government. When the result is adverse to Government the same should be reported, and it should be stated whether it is desirable that an appeal should be made, and if so upon what grounds. They should also remember that they must obtain the authority of Government before having recourse to the courts for the vindication of their public acts or their character as public functionaries.

15

Memo

Inspector Gen
Central Range
& Asst Superintendents
Instructions.

The Attention of the Land Revenue Code Rules have yet to be published.

Draft Appendix E contains the rules relating to the grant of land for Coffee Cultivation -

The draft appendix has not embodied the rule relating to the grant of land on coffee tenure but without data for fair valuation without sale by auction, when such land is required for purposes connected with coffee cultivation which has Imperial funds only has been - This rule is prescribed in the Rules cited in the margin.

Pro No (Camp) 458 dt 25th May 1888

Pro No 9 Sept 90

This Office Memo of the 12th Sept 90

and expenses be entered in the Appendix, with a corresponding alteration of the wording of the first paragraph in the Appendix so as to make it applicable to all such items —

Let this be done as above. I have two letters to answer on your behalf. Please see correspondence. MLP 21/7/90

To Mr Sundara Iyer
Who is at this work?

Ramakrishna Rao is at the work. I have appointed him to collect all orders up to date and also to encash hoops that is going to work as P.A.

Meanwhile I see him for attention — If he does not [illegible] Nanjunda Iyer & [illegible]

Attendees
Chd Upne memorial
Cause of delay
Photos to E.A.C.

[illegible]

N. Seizo table

1888.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 25*th May* 1888.

Camp No. 458—60.

Publishing an additional Rule to the Rules for the grant of unoccupied Government lands for coffee cultivation.

Mysore Government Press, Bangalore.—6-6-88.—120

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 25th May 1888.

READ THE FOLLOWING PAPER:—

From the Deputy Commissioner, Kadur District, To the Chief Secretary to the Dewan of Mysore, No. 490, dated Chikmagalur, 28th March 1888.

I have the honor to state that para (*b*) of clause 9 of the Government Notification No. 242, dated 24th March 1885, provides for the sale of unoccupied lands applied for on the terms of the settlement of coffee lands, sanctioned by Government in No. 3662-70—98, dated 2nd August 1881.

The arrangement contemplated in the clause referred to was brought into effect with the issue of the rules for the grant of unoccupied lands for coffee cultivation prescribed in the Proceedings of the Dewan No. 1860 -71, dated 10th March 1887.

2. In Proceedings No. 762—5, dated 11th July 1885, the grant of small portions of kharab land for coffee drying grounds at Rs. 1—8—0 per acre to certain individuals was sanctioned and the principle of "thus assessing lands required for purposes connected with coffee cultivation" was ordered to be followed.

3. Whether such small portions of kharab land when applied for by the holders of the adjoining estates for the purposes mentioned should be disposed of by public auction at the upset price fixed by the rules has not been specifically decided, and no distinction has been drawn between the method of acquiring land for actual coffee cultivation, and of acquiring land for purposes connected with coffee cultivation, such as:—

1. Drying grounds.
2. Pulper building and washing cisterns.
3. Store buildings.
4. Cooly lines.
5. Bungalows.

4. In some cases such lands are open grass lands with hardly any trees and quite unfit for coffee cultivation, and the question arises whether it is the intention of Government to levy the upset price on these lands and to subject them to sale by open competition.

5. I would propose that lands to be devoted to any of the purposes enumerated in para 3 should be acquired without sale, but at a fair valuation, and that the assessment should be at 1—8—0 or 1 rupee per acre according as the estate is held on a permanent or on 30 years' tenure.

CAMP No. 458—60, DATED 25TH MAY 1888.

ORDER THEREON.—The Dewan concurs in the recommendation of the Deputy Commissioner, that lands required by holders of coffee estates, *bonâ-fide* for purposes connected with coffee cultivation, such as drying grounds, store buildings, &c., should be granted to them at a fair valuation and without sale, subject of course to the prescribed assessment. The following notification will accordingly be published in the Gazette:—

NOTIFICATION.

The 25th May 1888.

CAMP No. 461.—With reference to Notification Camp No. 1874, dated 10th March 1887, the following additional rule in regard to the grant of unoccupied Government lands in connection with coffee cultivation under para 9 of Notification No. 242, dated 24th March 1885, is published for general information and guidance.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 25th May 1888.

XII. The Deputy Commissioner may, in his discretion, grant to the holder of a coffee estate on a fair valuation and without an auction, any moderate extent of kharab land adjoining his estate, which may be unfit for coffee cultivation, but required *bonâ-fide* for purposes of coffee cultivation, such as (1) drying grounds, (2) pulper buildings and washing cisterns, (3) store buildings, (4) cooly lines and (5) bungalows. In making grants under this rule, due regard shall be had to the provisions of the preceding rules as far as they apply.

Land granted under this rule shall be assessed at rupee 1 or Rs. 1—8—0 per acre according as the estate for the service of which it is granted is settled on the 30 year or permanent settlement respectively.

2. The Deputy Commissioners of Kadur and Hassan will be requested to report what limit of extent should be prescribed for grants under the new rule above sanctioned.

R. VIJAYINDRA RAO,
Chief Secretary.

To—The Deputy Commissioner, Kadur District.
The Deputy Commissioner, Hassan District.
Copy to the Survey Superintendent for information.

24

Rules as per Chief Secretary's Draft.

Rules under Chapter XI

Mr P. Chentsal Rao's Remarks.

Section 152.

The instalments do not appear to be equal. I find that 2 annas are paid in December, 6 annas in January and February and 2 annas in March. Must we not say this? It also appears that no instalment should be less than a Rupee. This is a good rule. We must state it too.

Section 152. 1. The following four "Khists" or instalments of Land Revenue are prescribed.

December
January
February
March

2. Each Khist shall be paid within the 15th of the month to which it belongs. Sums ~~paid~~ unpaid after the 15th of the month shall be deemed an arrear.

3. The Land Revenue shall be paid to the Potail of the village in which the land is situated, in the Charadi or in the house of the Potail in the absence of the Charadi

We need not say anything about the Charadi and the house, I think.

Section says the place should be fixed by Govt.

Section 154. The only penalty that shall be enforced in case of default shall be "a charge of interest" on the arrears due; the rate of interest shall be collected from the 15th of March

The rate of interest should be 6 per cent per annum I think. Perhaps it would be better to make it 6¼ per cent it would be one anna per Rupee per annum or 1 pie per Rupee per mensem. Interest cannot be said to be penalty. I would say.

March of the Revenue year on the arrears due on that date.

Sections 156 & 158. In all cases of default, the first process to issue shall be a notice of demand which the Government insist upon serving on the defaulter though under the Revenue Code it is not compulsory. The form prescribed is as follows:-

Demand notice No
of the year
Taluk of
District of

Take warning that the Amildar of Taluq demands from you A.B. the Sum of Rs bring the arrears of Land Revenue due by you for the year as khatedar No: and that you are required to pay the said Sum of Rs within 15 days from the date of the Service of this notice.

In default of payment your holding in part or in whole as it may be deemed necessary will be

Say "arrears shall bear interest at 6 per cent per annum, but no interest need be charged on arrears of current revenue".

I should like to see the present form of Demand. In the demand why should we refer only to forfeiture and not to the sale of moveable and immoveable property also.

From Sec: 171 & 172, I think we will have to issue a Sale Proclamation and a written notice to the defaulter whenever we have to sell property whether it is the land on which the arrear has accrued or other property. The demand under 158 is simply a warning that coercive process will be employed.

be forfeited to Govt. and sold or otherwise disposed of under the Land Revenue Code.
Dated

Amildar.

2. Notices of demand shall be issued by the Amildar, in his absence by the Shirestedar, and by the Deputy Amildar in his Sub-division. The costs of the Service shall be for each Notice Rs. which will be recovered as an arrear of Revenue from the defaulter.

Should we collect the batta, even when the Demand is Served through the Village Officers? I think not.

Sections 159 & 160. Arrears may be collected by sale of immovable or movable property belonging to the defaulter; before selling the immovable property however, consisting of lands in respect of which arrears may be due, there must be a declaration of forfeiture in the form annexed:

I .....
Mamlatdar of District hereby declare that the holding

A separate notice declaring forfeiture seems to be unnecessary. The Sale notice may contain the declaration of forfeiture.

holding as specified in the margin has been forfeited to Government in accordance with the penalty clause (vide the demand notice No .... served on you on ..... by A.B) dated....

Do/Commr:

2. The quantity of the holding to be forfeited will depend in each case upon the sum due to Govt as arrears: Entire holding need not be forfeited.

Officers authorized to distrain movable property (Sec. 160) are:

Deputy Commissioners
Assistant Commissioners
Amildars
Deputy Amildars
Shirestedars

Cannot Sheikdars be authorised also! In regard to sale, we must have a pecuniary limit for each Officer.

Section 163. Clause 3rd under the proviso:

The following individuals have been exempted from the provisions of this Section

Section :-

Prince Subramanyo Raje Urs.
G Spaula Raje Urs
Deva Parthina Bahadur.
Madanavilas Putta Sami
and Sons

vs

Section 171. The Sale Notifications under the Code are of two Kinds; in one the Deputy Commissioner causes the right title and interest of the defaulter to be sold under Section 161; in the other no such reservation is made: the distinction shall be shewn in the Notifications. The forms are appended.

These instructions do not strictly come under 171

Form No A.

I

1 It is hereby notified that the right title and interest of the Khatedar A. B in the undermentioned lands will be sold towards realization of Land Revenue due by him by public auction at the village

of

of . . . . . .
in the Taluk of . . . . .
in the District of .
on day of the month of . . .
in the year . . . and the
following days namely: .

2 The Sale will commence at or about in the Fore / After noon and continue to each day till the property advertised for Sale is completely Sold.

3 The property will be Knocked down to the highest bidder without reserve.

4 . The particulars of the arrears are given below:-

For what year	For what Amount
188 .	. . . .
188 .	. . . .
. . . .	. . . .
Total	

5 In all cases of sale of immovable property the party who is declared to be the purchaser shall be required to deposit immediately twenty-five per centum on the amount of his bid and in default of such deposit, the property shall forthwith be again put up and Sold.

Deposit by purchaser in case of sale of immovable property.

6. The full amount of the purchase money shall be paid

Purchase money when to be paid

by the purchaser before sunset of the fifteenth day from that on which the sale of the immovable property took place, or, if the said fifteenth day be an authorized holiday, then before Sunset of the first office day after such fifteenth day.

7. In default of payment within the prescribed period of the full amount of purchase money, ~~whether movable or immovable property~~, the deposit after defraying thereout the expense of the sale, shall be forfeited to Government, and the property shall be resold and the defaulting purchaser shall forfeit all claim to the property or to any part of the Sum for which it may be subsequently sold.

Effect of default

8. If the proceeds of the sale which is eventually made be less than the price bid by such defaulting purchaser

Liability of purchaser for loss by resale

purchaser, the difference shall be recoverable from him by the Deputy Commissioner as an arrear of Land Revenue.

When sale may be stayed

9. If the defaulter, or any person on his behalf pay the arrear in respect of which the property is to be sold and all other charges legally due by him at any time before the property is knocked down to the person appointed under section 152 to receive payment of the land revenue due or to the Officer appointed to conduct the sale, or if he furnish security under section 170, the sale shall be stayed.

10. The sale of the property will be absolute after the confirmation of the Proceedings by the Deputy Commissioner under Section 185.

On confirmation of sale, purchaser to be put in possession. Certificate of purchase ....

11 After a sale of any occupancy ~~[illegible]~~ or alienated holding has been confirmed in

manner

manner aforesaid, the Deputy Commissioner shall put the person declared to be the purchaser into possession of the land included in such occupancy or alienated holding, and shall cause his name to be entered in the revenue records as occupant or holder in lieu of that of the defaulter and shall grant him a certificate to the effect that he has purchased the occupancy or alienated holding to which the certificate refers.

12. Description of lands to be sold:

1 Taluq.

2 Village.

3 Name of the defaulter

4 Wet: Give Numbers recorded in the Survey accounts Extent, assessment &c.

5 Dry Give Numbers recorded in the Pahani accounts Extent assessment &c.

6 Garden &c. &c. ...

&c. &c. ...

7 Boundaries of the Numbers by giving the surrounding Survey Numbers and the

c names of the holders
Pahani

8. Number of trees on the
lands to be sold, description
of the trees.

9 Number of houses or
wells or Mantapams.

Amildar

Dated . . . . .

Form B.

1. It is hereby notified
that the lands
mentioned below registered
in the name of A: B: th
Khatedar will be sold
free from all encumbrances
towards realization of
land Revenue due by
him by public auction
at the village of

Copy of Form A.

+ + + +

+ + + + +

+ + + +

+ + +

+ +

Amildar.

(Chief Secretary's) pencil remark

I think there is no Expense incurred: notices are provided by Govt: The beat of tom tom is done by the village Kutwal &c.

40

Section 188. The Expense of sale Proceedings shall be regulated as at present.

Memo:

Proposed Draft Rules
under Chapter XI of the Land
Revenue Code for Collection
of Land Revenue with
the Connection Note of Chief Sec.
Rao's Remarks &c

Chf. Secy's Draft
with Mr. Chentsal
Rao's Remarks

41

Instructions

(To be written on the reverse of the form)

1. Subdivisions of ~~Cultivated~~ Survey fields must be effected on the same principle on which pot Pahani is done made of survey field ~~or~~ and

2. Khanabhogvis and Shaikdars should be instructed how to measure correctly, to keep a field book and make a sketch map of the fields. This may be easily learnt in a ~~fortnight~~ few weeks.

3. The standard of measurement is a

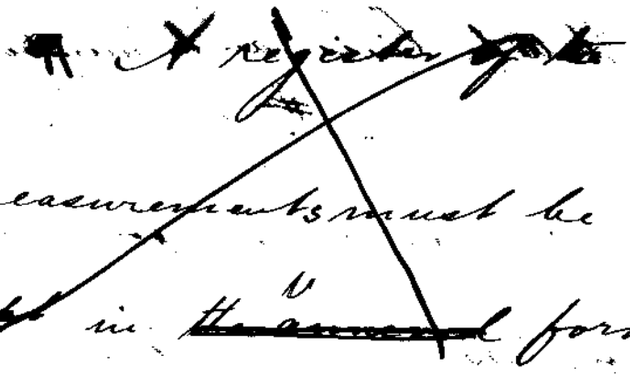
They must have one Khanabhogvis or two made.

chain 33 feet in length
which is divided into 16
equal parts called
arrians. 256 square
arrians are equal to a
square chain or a gunta,
and 40 guntas make
one acre. If the field
has more than one rede
or has considerable beds
or is inconveniently large,
it should be divided for
the purpose of measurement,
into takes and each take
measured separately,
each take being noted
in the rough sketch by

par 4

dotted lines, and numbered (1), (2), (3) &c. The lots must be either four sided figures or triangles. The lines must be measured straight as by measuring crookedly, the dimensions are improperly increased and will give too large an area.

5 A rough sketch like the one appended should be drawn showing the shape of the field measured & the portions into which it is divided and the measurements of the different divisions noted thereon.



measurements must be
kept in the usual form.
6
In the cases of 4 sided
figures, the total measure
-ment of the diagonal
line should be entered
in Column 12, the
measurements of its
Component parts being
entered in Col 11
The measurements
of the perpendiculars should be shown
in col, 13, their total being
entered in col 14.
Column 15 should show
half the measurement
shown in col 14. In

45

[redacted] Taluka Bhuleshwar

Statement of Sub-Divisions of fie[ld]

Name of the village	As per original Survey						Sub-divisions of					Dimen	
	No.	Letter—Dry, wet or garden &c	Extent Acres	G.	Assessment Rs	A	P	Sub No. or Letter	Letter Dry, wet or Garden &c	No. of Sides	Letter Triangle or 4 sided	Directions	Length / Length	Total Length
1	2	3	4		5			6	7	8	9	10	11	12
Rampur	4	Dry	18	-	27	-	-	4 A	Dry	1	□		11 3/4 / 15 1/2 / 8 3/4	36
		Wet	2	-	8	-	-	"	Wet	2	△		23/1	24
		Garden	3	-	18	-	-	"	Garden	3	□		2/4 / 2 4	30
		Kharab	2	30	-	-	-	"	Kharab	4	△		10 1/2 / 4 1/2	15
	Total		25	30	53	-	-							
								4 B	Dry	1	□		4 1/2 / 11 / 4 1/2	20
								"	Wet	2	△		9/1	10
								"	Garden	3	△		1/2 / 9 1/2	10
								"	Kharab	4	□		1/4 / 9 3/4 / 1	11
			Read the Sketch Accts											
														Grand T

VIII] Appendix D

From no. 1

in the Talug. of

Dimensions			Area		Adjustment	Total area as per sub-division after adjustments		Assessment			Name of the Officer who conducted the measurement
The Total Breadth 14	Half Breadth 15	Square Contents 16	Acres 17	Q.	18	Acres	Q	20			21
30	15	540	13	20	"	13	20	20	4	"	
5	2 1/2	60	1	20	"	1	20	6	"	"	
6	3	90	2	10	"	2	10	13	8	"	
11	5 1/2	82 1/2	2	2 1/2	"	2	2 1/2	"	"	"	
6		772 1/2	19	12 1/2	"	19	12 1/2	39	12	"	
18	9	180	4	20	"	4	20	6	12	"	
1,	2	20	"	20	"	"	20	2	"		
6	3	30	"	30	"	"	30	4	8	"	
5	2 1/2	27 1/2	"	27 1/2	"	"	27 1/2	"	"	"	
2l		257 1/2	6	17 1/2	"	6	17 1/2	13	4	"	
tal		1030	25	30		25	30	53	"	"	

the case of triangles the measurements of the base should be shown in Columns 11, and 12, and that of the perpendicular in col 14. and its half in col 15. Column 12 multiplied with col 15 will give the square contents which should be shown in col 16. The contents entered in column 16, when divided by 40, will give the area of the sub-divided fields in acres & decimals which should be shown in col 17:

7 Any small difference that may arise between the area as found by Survey Department and the

totals of the area of the sub-division made by chanbhogies, should ~~if within 10 per cent~~, be adjusted by a system of give and take, ie. by deducting or adding fractional parts, which should be shown in col 18 and the net area in col 19. If the difference between the survey area & the total area of the several subdivided fields be larger than 10 per cent, the matter should be referred to the Survey Deptt, or the fields re-measured by a skilled surveyor.

8. The assessment of the sub-divided portion should be shown in col 20. It should ordinarily be in the same proportion in which the assessment of the total area of

the Survey number under
wet. Dry or garden stands
to the total assessment
under each description of
land. In cases where
such apportionment of
assessment may be consid
-ed unsuited owing to
any material
~~the~~ difference in the
soils, an equitable ap-
portionment must be
made in Communication
with the Survey Department
if it exists, or with ~~the~~ the
~~aid of a classifier of the~~ trained

Survey Dept does not exist.

It is not neces
-sary to demarcate each
sub-divided field in
accordance with the

^ of the several subdivided fields

rules of the Survey department,

but the Dy Comm^r must
insist upon stone ridges
being formed or stones
fixed for the identification
of sub-divided field.

9 It is not
necessary that each sub-
-divided field should
be plotted on the village
map; but if the field
sub-divided is large
~~and the extraction of~~
~~the sub-divided field~~
~~is not plotting desirable~~
~~the Dy. Comm^r~~ may forward
the sketch to the survey
Dept^t for the purpose
of it's being plotted on
the map; or if got it plotted

if the Dy Comm^r considers that
plotting is necessary
for identification,
he should

by a surveyor, if
the Survey Dept^t
does not exist.

5

10 ~~The~~ He by course

one of course at liberty

to seek the aid of Survey

officers in sub-dividing

any large fields, if

he considers that owing

to the existence of large

trees &c, the measurements

Cannot be conducted

~~by the use of a chain and~~

~~cross staff~~ without

the aid of a Compass.

REMARKS.

Sub-Divisions of Survey fields must be effected on the same principle on which Poot Pahani of Survey fields owned by more than one Khatedar is not made.

2. Shanbhogues and Shaikdars should be instructed how to measure correctly, to keep a field book and make a sketch map of the fields. This may be easily learnt in a few weeks.

3. The standard of measurement is a chain 33 feet in length which is divided into 16 equal parts called annas. Two hundred and fifty-six square annas are equal to a square chain or a gunta, and 40 guntas make one acre. If the field has more than one side, or has considerable beds, or is inconveniently large, it should be divided, for the purpose of measurement, into *taks* and each tak measured separately, each tak being noted in the rough sketch by dotted lines and numbered (1), (2), (3), &c. The taks must be either four-sided figures or triangles. The lines must be measured straight as, by measuring crookedly, the dimensions are improperly increased and will give too large an area.

4. A rough sketch like the one appended should be drawn showing the shape of the field measured, and the portions into which it is divided, and the measurements of the different divisions noted therein.

5. In the cases of four-sided figures, the total measurement of the diagonal line should be entered in column 12, the measurements of its component parts being entered in column 11. The measurements of the perpendiculars should be shown in column 13, their total being entered in column 14; column 15, should show half the measurement shown in column 14. In the case of triangles, the measurement of the base should be shown in columns 11 and 12, and that of the perpendicular in column 14, and its half in column 15 will give the square contents which should be shown in column 16. The contents entered in column 16, when divided by 40, will give the area of the sub-divided fields in acres and guntas which should be shown in column 17.

6. Any small difference that may arise between the area as found by Survey Department and the totals of the area of the Sub-divisions made by Shanbogues, should be adjusted by a system of give and take, *i. e.*, by deducting or adding fractional parts, which should be shown in column 18, and the net area in column 19. If the difference between the survey area and the total area of the several sub-divided fields be larger than 10 per cent, the matter should be referred to the Survey Department, or the fields re-measured by a skilled surveyor.

7. The assessment of the sub-divided portion should be shown in column 20. It should ordinarily be in the same proportion in which the assessment of the total area of the Survey number under Wet, Dry or Garden stands to the total assessment under each description of land. In cases where such apportionment of assessment may be considered unsuited owing to any material difference in the soils of the several sub-divided fields, an equitable apportionment must be made in communication with the Survey Department if it exists, or with the aid of a trained classifier if the Survey Department does not exist.

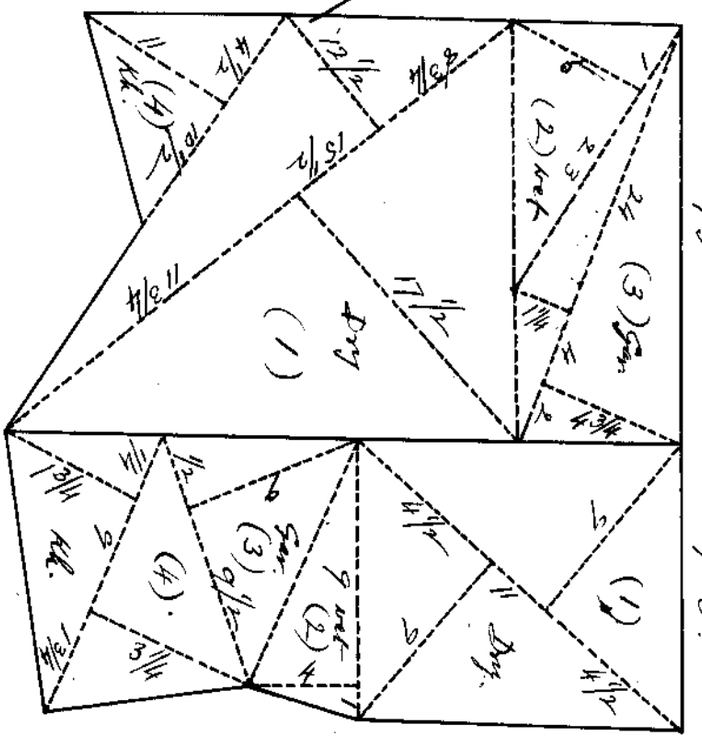
8. It is not necessary that each sub-divided field should be plotted on the village map; but if the area of the field sub-divided is large, and the Deputy Commissioner considers that plotting is necessary for identification, he should forward the sketch to the Survey Department for the purpose of its being plotted on the map, or get it plotted by a Surveyor, if the Survey Department does not exist.

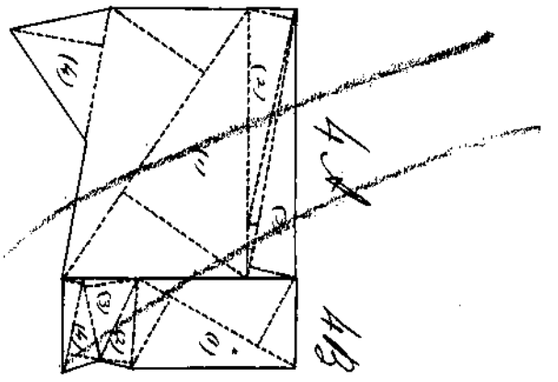
9. The Deputy Commissioner is of course at liberty to seek the aid of Survey Officers in sub-dividing any large fields, if he considers that owing to the existence of large trees, &c., the measurements cannot be conducted without the aid of a compass.

column 12 multiplied with 4

Corrected Proof of the
given to the
Spectator Office. For
correcting & genuine
me a revised

52





[To be printed on the reverse of the Form Appendix DI Form no 7]

Remarks.

Sub divisions of Survey fields must be effected on the same principle on which Pot Pahani of Survey fields owned by more than one Khalédar is not made.

2. Shanbhogues and Shaikdars should be instructed how to measure correctly, to keep a field book and make a sketch map of the fields. This may be easily learnt in a few weeks.

3. The standard of measurement is a chain 33 feet in length which is divided into 16 equal parts called annas. 256 square annas are equal to a square chain or a gunta, and 40 guntas make one acre. If the field has more than one side, or has considerable beds, or is inconveniently large, it should be divided, for the purpose of measurement, into taks and each tak measured separately, each tak being noted in the rough sketch by dotted lines and numbered (1), (2), (3), &c. The taks must be either four-sided figures or triangles. The lines must be measured straight as, by measuring crookedly, the dimensions are improperly increased and will give too large an area.

5. A rough sketch like the one appended should be drawn showing the shape of the field measured and the portions into which it is divided and the measurements of the different divisions noted therein.

6. In the Cases of ~~sub~~ divided figures, the total measurement of the diagonal line should be entered in Column 12, the measurements of its Component parts being entered in Column 11. The measurements of the perpendiculars should be shewn in Column 13, their total being entered in Column 14; Column 15 should show half the measurement shown in Column 14. In the case of triangles, the measurement of the base should be shown in Columns 11 and 12, and that of the perpendicular in Column 14 and its half in Column 15. — Column 12 multiplied with 15 will give the Square Contents which should be shown in Column 16. The Contents entered in Column 16, when divided by 40, will give the area of the sub-divided fields in acres and Guntas which should be shown in Column 17.

7. Any small difference that may arise between the area as found by Survey Department and the totals of the area of the sub-divisions made by Shanbogues, should be

be adjusted by a system of give and take, i.e, by deducting or adding fractional parts, which should be shown in Column 18. and the net area in Column 19. If the difference between the Survey area and the total area of the several sub-divided fields be larger than 10 per cent, the matter should be referred to the Survey Department, or the fields re-measured by a Skilled Surveyor.

8. The assessment of the sub-divided portion should be shown in Column 20. It should ordinarily be in the same proportion in which the assessment of the total area of the Survey number under wet, Dry or garden stands to the total assessment under each description of land. In cases where such apportionment of assessment may be considered unsuited owing to any material difference in the soils of the several sub-divided fields, an equitable apportionment must be made in Communication with the Survey Department if it exists, or with the aid of a trained Classifier if the Survey Department does not exist.

9. It is not necessary that each sub-divided field should be plotted on the village map; but if the area of the field sub-divided is large and the Deputy Commissioner considers that plotting is necessary for identification, he should forward the Sketch

to the Survey Department for the purpose of its being plotted on the map, or get it plotted by a Surveyor, if the Survey Department doesnot Exist.

10. The Deputy Commissioner is of Course at liberty to seek the aid of Survey Officers in Sub-dividing any large fields, if he considers that owing to the Existence of large trees &c; the measurements cannot be Conducted without the aid of a Compass.

MK

Proof for approval 16/9/97

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APPENDIX D1.
Form No. 1.

REMARKS.

Sub-Divisions of Survey fields must be effected on the same principle on which Poot Pahani of Survey fields owned by more than one Khatedar is now made.

2. Shanbhogs and Shaikdars should be instructed how to measure correctly, to keep a field book and make a sketch map of the fields. This may be easily learnt in a few weeks.

3. The standard of measurement is a chain 33 feet in length which is divided into 16 equal parts called annas. Two hundred and fifty-six square annas are equal to a square chain or a gunta, and 40 guntas make one acre. If the field has more than one side, or has considerable beds, or is inconveniently large, it should be divided, for the purpose of measurement, into *taks* and each tak measured separately, each tak being noted in the rough sketch by dotted lines and numbered (1), (2), (3), &c.

4. The taks must be either four-sided figures or triangles. The lines must be measured straight as, by measuring crookedly, the dimensions are improperly increased and will give too large an area.

5. A rough sketch like the one appended should be drawn showing the shape of the field measured, and the portions into which it is divided, and the measurements of the different divisions noted therein.

6. In the case of four-sided figures, the total measurement of the diagonal line should be entered in column 12, the measurements of its component parts being entered in column 11. The measurements of the perpendiculars should be shown in column 13, their total being entered in column 14; column 15 should show half the measurement shown in column 14. In the case of triangles, the measurement of the base should be shown in columns 11 and 12, and that of the perpendicular in column 14, and its half in column 15. Column 12 multiplied with 15 will give the square contents which should be shown in column 16. The contents entered in column 16, when divided by 40, will give the area of the sub-divided fields in acres and guntas which should be shown in column 17.

7. Any small difference that may arise between the area as found by Survey Department and the totals of the area of the Sub-divisions made by Shanbogues, should be adjusted by a system of give and take, *i. e.*, by deducting or adding fractional parts, which should be shown in column 18, and the net area in column 19. If the difference between the survey area and the total area of the several sub-divided fields be larger than 10 per cent, the matter should be referred to the Survey Department, or the fields re-measured by a skilled surveyor.

8. The assessment of the sub-divided portion should be shown in column 20. It should ordinarily be in the same proportion in which the assessment of the total area of the Survey number under Wet, Dry or Garden stands to the total assessment under each description of land. In cases where such apportionment of assessment may be considered unsuited owing to any material difference in the soils of the several sub-divided fields, an equitable apportionment must be made in communication with the Survey Department if it exists, or with the aid of a trained classifier if the Survey Department does not exist.

9. It is not necessary that each sub-divided field should be plotted on the village map; but if the area of the field sub-divided is large, and the Deputy Commissioner considers that plotting is necessary for identification, he should forward the sketch to the Survey Department for the purpose of its being plotted on the map, or get it plotted by a Surveyor, if the Survey Department does not exist.

10. The Deputy Commissioner is of course at liberty to seek the aid of Survey Officers in sub-dividing any large fields, if he considers that owing to the existence of large trees, &c., the measurements cannot be conducted without the aid of a compass.

[Vide Para ...

Statement of Sub-division of Fields in the village of

Name of the village	As per original Survey						Particulars of Sub Division					Dimensions.				
												Lengths		Breadth		
	No.	Whether Dry, Wet or garden &c	Extent		Assessment		Sub No. or Letter	Whether Dry, Wet or garden &c	No. of Sides	Whether Triangle or 4 Sided	Directions	Length	Total length	Breadth	Total Breadth	Mean Breadth
1	2	3	Acres	G.	Rs.	A. P.	6	7	8	9	10	11	12	13	14	15
Rampur	4	Dry	18	-	27	- -	4 A	Dry	1	□		11 3/4 15 1/2 8 3/4	36	17 1/2 12 1/2	30	15
		Wet	2	-	8	- -	-	Wet	2	△		23	24	-	5	2 1/2
		Garden	3	-	18	- -	-	Garden	3	□		2 4 24	30	4 3/4 1 1/4	6	3
		Kharab	2	30	-	- -	-	Kharab	4	△		10 1/2 4 1/2	15	-	11	5 1/2
			25	30	53	- -										
Mahlana Kalan							4 B	Dry	1	□		4 1/2 11 4 1/2	20	9 9	18	9
							-	Wet	2	△		9	10	4	4	2
							-	Garden	3	△		4 1/2 9 1/2	10	-	6	3
							-	Kharab	4	□		1/4 9 3/4	11	3 1/4 1 3/4	5	2 1/2
															Total	
Print the sketch here															Grand Total	

Rule XXVII] Appendix XI Form No 1.

Taluk of in the district

Area			Adjustment	Total area as per sub-division after adjustment.		Assessment			Name of the Officer who conducted the measurement.
measurement.	Acre	G		Acre	G				
16	17	.	18	Acre 19	G	20			21
40	13	20	.	13	20	20	4	.	
0	1	20	.	1	20	6	.	.	
0	2	10	.	2	10	13	8	.	
2½	2	2½	.	2	2½	.	.	.	
2½	19	12½	.	19	12½	39	12	.	
80	4	20	.	4	20	6	12	.	
0	.	20	.	.	20	2	.	—	
0	.	30	.	.	30	4	8	.	
7½	.	27½	.	.	27½	.	.	.	
7½	6	17½	.	6	17½	13	4	.	
30	25	30	.	25	30	59	.	.	

MR

[VIDE PARA 5 RULE XXVII

Statement of Sub-Division of Fields in the Village of

| Name of the Village. | As per original Survey. | | |

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APPENDIX D 1 FORM No. 1.

the Taluk of in the District.

Particulars of Sub-Division.												Name of the Officer who conducted the measurement.
Dimensions.						Area.		Adjustment.	Total area as per sub-division after adjustment.		Assessment.	
Length.		Breadth.										
Length.	Total length.	Breadth.	Total breadth.	Half breadth.	Square contents.	Acres.	Guntas.		Acres.	G.		
11	12	13	14	15	16	17		18	19		20	21
11½ 15½ 8¾	36	17½ 12½	30	15	540	13	20	...	13	20	20 4 0	
23 1	24	...	5	2½	60	1	20	...	1	20	6 0 0	
2 4 24	30	4½ 1½	6	3	90	2	10	...	2	10	13 8 0	
10½ 4½	15	...	11	5½	82½	2	2½	...	2	2½	... .	
					772½	19	12½	...	19	12½	39 12 0	
4½ 11 4½	20	9 9	18	9	180	4	20	...	4	20	8 12 0	
9 1	10	...	4	2	20	...	20	...	...	20	2 0 0	
½ 9½	10	...	6	3	30	...	30	...	...	30	4 8 0	
¾ 9½	11	3½ 1½	5	2½	27½	...	27½	...	...	27½	... .	
			Total		257½	6	17½		6	17½	13 4 0	
			Grand Total.....		1,030	25	30		25	30	53 0 0	

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Powers of Government under Mysore Land Revenue Code.

Do: 4. (1) (4)— Power to appoint "Commissioner" and to confer on such officer all or any of the duties and powers which are referred to in Schedule B of the "Mysore Land Revenue Code" or which are imposed or conferred on the Chief Controlling revenue authority by any other law.

Do: 5 (2) (5)— Power to control the Commissioner

Do: 6 (3) (6)— Power to divide the Territories of Mysore into Districts and to alter the present Districts and Taluks.

Do 7 (5) (8)— Power to appoint Asst Commissioners

Do: 8 (5) (9)— Power to appoint Asst Commissioners

Do — 9 (6) (10)— Power to place any Asst Commr in charge of the revenue duties of one or more of the Talukas

(7) (6) Power to appoint Amildars. — — — 10/ See: 11

(8) (7) Do — Do — Dy Amildars. — See: 12

(9) (8) Power to issue general orders, to authorize the Amildars or Dy Amildars to employ any of their subordinates to perform any portion of their ministerial duties. See: 13

(10) (9) Do = Do = authorizing the Dy Comm^r to appoint Stipendiary Potels and village accountants where no hereditary Potels or village accountants exists. See: 15

(11) (10) Power to prescribe what registers, accounts, and other records to be kept by the village accountant. See: 16

(12) (11) Power to prescribe what records to be kept by the holder of alienated village. See: 17

(13) (12) Power to appoint Survey officers See: 18

(14) (13) Power to ~~enhance~~ Combine offices. See: 19

(15) (14) Power to prescribe what revenue officers shall use a seal, and what size and description of seal shall be See: 22

used.

Sec: 23 (16)(e) Power to direct what officers shall furnish Security and for what amount

Sec: 31 (17)(~~15~~) Power to grant permission to a revenue officer to engage in trade &c

Sec: 35 (18)(18) Power to hear appeals brought against the orders of the Dy Comm^r or Supt^t of Survey fining, reducing, suspending or dismissing any revenue officer subordinate to him.

Sec: 37 (19)(~~17~~) Power to authorize the Dy Comm^r to dispose of all lands which are not the property of others subject to the rights of way &c.

Sec: 40 (20)(~~18~~) Power to enjoy or dispose of the rights to all precious metals, precious stones, Coals and other minerals to be extracted by any process of mining from any lands whatsoever.

Sec: 41 (21)(~~19~~) Power to order the appropriation of lands assigned for purposes to some other

Power to regulate by rules the use of pasturage — — — Sec: 42

(16) Power to order the exercise and to prescribe rules for the enjoyment of rights by the inhabitants of the village to all trees except the nine descriptions of reserved timber — — — Sec: 43 & 44

(17) Power to issue orders for the preservation or for the disposal of Govt. trees and forests — Sec: 47

(18) Power to direct by law the levy of revenue on all lands under whatever title they may be held and to specially exempt certain land from payment of revenue — — — — — — Sec: 50

(19) Power to make rules to decrease the assessment of land in cases of diluvion Sec: 52

(20) Power to fix the amount in ~~commuted~~ ~~commuted~~ assessments — Sec: 54

(21) Power to prescribe the form of Register of alienated lands to be kept by the Dy Commr. Sec: 56

Sec: 58 (27) 63 Power to authorize the Dy Comm. or Survey officers to fix rates for the use of water

Sec: 65 (30) Power to issue orders with regard to the occupancy right to be paid for and to be liable to certain conditions

Sec: 68&69 (31) Power to issue general orders with regard to fine to be levied for appropriation of a land assigned to a purpose, to any other purpose unconnected with agricultural

Sec: 77 (21) Power to prescribe time for for relinquishment of occupancy

Sec: 106 (22) Power to confer by commissioner certain powers on holders of alienated lands as defined in this Sec:

Sec: 107 (28) Power to withdraw such commission and to issue the same to and on none agents of a holder of alienated lands.

Sec: 112 (24) Power to introduce Revenue Survey into any part of the Territories and to control the same.

Sec: 115 (32) Power to fix the Survey number not

Sec. 142 (44) Power to ~~frame general or special~~ orders for fixing the ~~limits of Sites of~~ villages towns and cities ——— ——— ———

Sec. 148 (45) Power to make ~~rules for charging~~ a Survey fee in certain cases. ——— ——— ———

Sec. 159–177 (46) Power to issue orders for the disposal of Surplus profits of an attached village

Sec. 161 (47) Power to determine the date ~~&c~~ on which land revenue shall be payable.

Sec. 163 (48) Power to fix a scale to levy the interest by the defaulters ——— ——— ———

Sec. 167 (49) Power to frame rules for the issue of notices of demand. ——— ——— ———

Sec. 169 (50) Power to define the officers or class of officers to cause the defaulters moveable property to be distrained ——— ——— ———

Sec. 172 (51) Power to exempt particular places or individuals from the provisions of this Section ~~is~~ (arresting the defaulter and detaining him in custody) ——— ——— ———

Sec. 173. (52) Power to declare the officers or class of officers by whom power of arrest to be exercised ——— ——— ———

(37) Power to sanction the attachment of defaulters village and to take it under Govt. management. — — — Sec: 174

(38) ~~Power to dispose of surplus receipts of the said village — — — —~~ Sec: 177 & 179

(39) Power to frame rules for calculating the expenses of sale. — — — — Sec: 198

(40) Power to make rules as to advances to be made to the holders of arable land for the relief of distress. — — — Sec: 203

(41) Power to prescribe rules for conducting the ordinary enquiries. — — — Sec: 214

(42) Power to fix charges for copying ~~of~~ ~~rent~~ Sec: 215

(43) Power to call for and examine the records and proceedings of Subordinate officers and to pass orders thereupon. Sec: 226

(44) Power to modify, annul, or reverse any decision or order passed under the provisions of the last preceding Section Sec: 227

(45) Power to refer certain questions for decision of Chief Court — — Sec: 235

(46) Power to grant certificate signed by a Secretary requiring that the trial of any Sec: 239

(37)

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any Suit brought against any Revenue officer in the Civil Court, shall have precedence over the trial of any other Suit

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Sec: 240 (62 ~~47~~) Power to make rules and to fix fees for inspecting maps, land registers and village accounts &c.

Sec: 241 (63 ~~48~~) Power to frame rules for determining the qualifications to be required of all members of establishments appointed under Sec: 21. &c. — — — —

Sec: 243 (64 ~~49~~) Power to frame rules to attach to the breach of any rules or orders made by the Govt. under Sec: 241 and published, in addition to any other consequences which would ensue from such breach, a punishment on conviction before a magistrate not exceeding one months imprisonment of either description within the meaning of the Indian Penal Code or 500 Rs. fine or both. — — — —

Sec: 244 (65 ~~50~~) Power to authorize the extension of all or any of the provisions contained in Chapter ~~VIII~~ to X to the holder of any alienated villages on his application in writing. — —

Powers of Government to be exercised under Bombay Act V of 1879.

Sec. 4 (1) Power to prescribe and alter the extent of territories under the Commissioners.

Sec. 5 (2) Power to appoint Commissioners, and to prescribe the officers subordinate to them.

Sec. 6 (3) Power to sanction the appointments of Assistants to Commissioners.

Sec. 7 (4) Power to divide the divisions into districts, and districts into Talukas.

Sec. 8 (5) Power to appoint the Collector of the District.

Sec. 9 (6) Power to appoint Assistant Collectors and Dy. Collectors.

Sec. 10 (7) Power to place any Assistants or Deputies in charge of the revenue administration of one or more of the talukas, and to assign any particular duties and powers to them.

Sec. 12 (8) Power to prescribe the duties and powers of the Mamlatdar.

Sec. [illegible] (9) Power to entrust to Magistrates the powers and duties [illegible]

Sec: 16 (10) Power to issue general orders to appoint Patils and Village Accountants where no hereditary Patil or Village Accountant exists.

Sec: 17 (11) Power to do - prescribing the form of registers accounts, and other records to be kept by the village accountant.

Sec: 18 (12) Power to appoint Survey officers and to prescribe their duties and powers.

Sec: 19 (13) Power to order the Combination of offices.

Sec: 22 (14) Power to prescribe what revenue officers shall use a seal, and what size and description.

Sec: 23 (15) Power to order what officers shall furnish security and to what amount.

Sec: 31 (16) Power to grant permission to a revenue officer to engage in trade &c.

Sec: 32 (17) Power to fine &c., a revenue officer whose monthly salary exceeds Rs. 250.

Sec: 37 (18) Power to issue general orders [illegible] to dispose of

all public roads ~~and~~ subject to the rights of ~~way~~ lands which are not the property of others,

Sec: 38 (19) Power to issue general orders for Survey Officers to set apart lands for free pas-turage for the village cattle.

Sec: 41 (20) Power to preserve or dispose of all trees brushwood, jungle or other natural pro-duct.

Sec: 47 (21) Power to make a decrease of assessment of land revenue in cases of diluvion

Sec: 53 (22) Power to prescribe the form of Register of alienated lands to be kept by the Collector.

Sec: 58 (23) Power to authorize the Collector to fix rates for the use of water.

Sec: 65 (24) Power to issue general orders for levying fine in addition to special assessment for appropriation of land for any other purpose than that to which it is assigned, without obtaining permission.

Sec: 66. (25) Power to prescribe the amount of penalty to be levied under above Sec.

Sec: 9th (26) Power to prescribe the time for relinquish-

Sec: 82 (27) Power to suspend publication of Sec: 60 or 76

Sec: 88 (28) Power to confer by Commission certain powers on holders of alienated lands.

Sec: 89 (29) Power to withdraw such Commission, and to issue the same to one or more agents of a holder of alienated lands.

Sec: 95 (30) Power to introduce Revenue Survey into any part of Presidency, and power to control the same.

Sec: 102 (31) Power to sanction the assessments fixed by Survey officers.

Sec: 106 (32) Power to direct a fresh Survey and revision of assessment.

Sec: 108 (33) Power to prescribe forms for the preparation of statistical and fiscal records.

Sec: 109 (34) Power to sanction the correction of the register of mutation of names in consequence of any application made after the period of two years.

Sec: 118 (35) Power to nominate officers for determining the village boundaries.

Sec: 128 (36) Power to recognize an officer to represent absolutely or partially under tenure holders in matters connected with payment of land revenue.

Sec: 146 (37) Power to determine the date on which land revenue shall be payable.

Sec: 148 (38) Power to fix a scale for penalty or interest to be recovered by the defaulter.

Sec: 152 (39) Power to fix the costs of notices & recoverable from the defaulter

Sec: 154 (40) Power to issue orders to the Commr to define the class of officer who may cause the defaulters moveable property to be destrained and sold.

Sec: 158 (41) Power to sanction the orders passed by the Court declaring by what officers or class of officers the power of arrest conferred by Sec: 157 may be exercised, and fixing the costs of arrest and the amount of subsistance money to be paid by Govt to any defaulter under detention or imprisonment

Sec: 167 (42) Power to recognize the general holidays.

Sec: 183 (43) Power to [illegible] other rules ... 1°)
framed for estimating the
expenses of Sale, and the
fees fixed by the Comm^r.

Sec: 197 (44) Power to prescribe rules for conducting ordinary
enquiries.

Sec: 198 (45) Power to fix charges for copying &c.

Sec: 201 (46) Power to determine the language
of a district.

Sec: (204) (47) Power to hear appeals against any
decision or order passed by a Comm^r
or by a Survey Comm^r.

Sec: (211) (48) Power to call for and examine
the records and proceedings of the
subordinate officers.

Sec: (212) (49) Power to modify, annul, or
reverse any such decision or order passed
under the provisions of the last preceding
section.

Sec: 214 (50) Power to frame rules, determining
determining the qualifications to be required
of all members of establishments appointed
under Sec: 21, &c.

Sec: 215 (51) Power to attach to the breach of rules made by it (Govt) a punishment on conviction before a Magistrate not exceeding one month's imprisonment of either description within the meaning of the Indian Penal Code, or five hundred rupees or both.

Sec: 216 (52) Power to authorize the extension of all or any of the provisions of Chapters VIII to X to any alienated villages.

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Powers of Commissioner granted under Bombay Act of V of 1879

Sec: 4. (1). Power to exercise all the powers vested in the Chief Controlling Authority in all matters connected with the land revenue.

Sec: 7. (2) Power to ~~order~~ prescribe the duties to be performed by the Assistants Subordinate to him.

Sec: 12 (3) ✓ Power to appoint Mamlatdar to of a Taluk.

Sec: 13. (4) Power to assign to Mahalkari the duties and powers of a Mamlatdar.

Sec: 14 (5) Power to empower the Mamlatdar or Mahalkari to employ any of his subordinates to perform any portion of his ministerial duties.

Sec: 16. (6) Power to issue general orders to appoint Patels and Village Accountants where no hereditary Patil or Village Accountant exists.

Sec: 17 (7) Power to do prescribing the form of registers, accounts and other records to be kept by the village accountants.

Sec. 37 (8) Power to issue orders to dispose of all public roads &c. and all lands which are not the property of others, in such manner as he may deem fit.

Sec. 38 (9) Powers to sanction the appropriation of lands assigned for special purposes to some other purpose.

Sec: 39 (10) Power to sanction the rules prescribed by the Collector for use of pasturage.

Sec: 49 (11) Power to fix the amount ~~to be~~ ~~paid~~ fees in Commuting the assessment &c.

Sec. 98 (12) Power to fix the extent of survey numbers (Commr. of Survey)

Sec: 164 (13) Power to issue orders for the disposal of surplus profits of a village attached under this Sec.

Sec: 182 (14) Power to frame rules for the issue of notices to the defaulter.

Sec: 154 (15) Power to define the class of officers who may cause the defaulters move-able property to be destrained and sold.

Sec: 158 (16) Power to delegate to what officer or class of officers the powers of sec.

conferred under Sec. 159, may be exercised
exercised and to fix costs of arrest
and the amount of subsistence money
to be paid by govt. to any defaulter
under detention or imprisonment.

Sec. 159 (17) Power to sanction the attachment
of defaulters' village.

Sec. 183 (18) Power to frame rules for estimating the
expenses of sale, and ~~fixing~~ to fix
such rates.

Sec 197. (~~18~~)

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List of powers of Government

Section of Bombay Code	Corresponding section of Mysore Code	Description of power.	Enquiry whether summary or formal.	Whether orders passed are final	Remarks.
4.	4.	The Chief Controlling authority in all matters connected with the Land Revenue.			In Bombay this authority is vested in the Commissioner, subject to Government.
7.	5.	Power to prescribe, from time to time, by a duly published order, the number and limits of Districts, the number of Talukas in each District and the number of villages in each Taluk.			
8.	6.	Power to appoint Deputy Commrs for Districts.			
		Power to issue instructions to Deputy Commissioners in all matters not specially			

		provided for by Law.		
9.	7.	Power to appoint as many Assistant Commissioners to each District as it may deem expedient.		
10.	8.	Power to place any Assistant Commissioner in charge of the revenue administration of one or more Talukas	.....	In Bombay this power is vested in the Collector subject to the general orders of Govt

in as District.

Power to direct from time to time by a general or special order that any Assistant Commissioner so placed in charge, shall perform the powers imposed and conferred upon the Deputy Commissioner by this Regulation or any other law for the time being in force.

Power to direct who shall be the immediate superior authority of such Assistant Commissioner for the purpose of section 210.

12 | 10. Power to appoint Amildars

Power to make general or special orders in regard to the duties & powers to be imposed upon or delegated to the Amildar by the Deputy Commissioner, when they are not imposed or conferred upon him by this Regulation or any other law for the time being in force.

Revenue Commr has this power in Bombay.

13.	11.	Power to appoint Deputy Amildar to be in charge of a defined portion of a Taluk, and assign to him such of the duties and powers of an Amildar as may from time to time be considered necessary.		In Bombay this power rests with the Collector or under the orders of the Govt.
14.	12.	Power to issue general orders for an Amildar or Deputy Amildar to employ any of his subordinates to perform any portion of his ministerial duties	Schedule A	The Dy. Commissioner has this power in Bombay the Collector
16.	14.	Power to issue general orders for the appointment by Deputy Commissioner of Hereditary Patels or village Accountant in villages where no Hereditary Patels or village Accountant exists.	Schedule B	In Bombay, the Commissioner and Govt. have this power.
17.	15.	Power to prescribe from time to time, the Registers, Accounts, and other records to be kept by the village Accountant		— Ditto —

16.

Power to prescribe from time to time the Registers, Accounts & other records to be kept by Holders of alienated villages, and to prescribe by general or special order, the Copies of which of them shall be deposited with the Deputy Commissioner. ——— B

18. 17.

Power to appoint Survey & Settlement Officers from time to time, for the purposes of Chapters VIII, IX and X, and to direct in what order they shall be subordinated one to the other— A

Power to issue orders that all matters connected with Survey and Settlement may be taken cognizance of by the said Officers. ———

19. 18. Power to appoint one and the same person to any two or more of the offices provided for in Chapter II, or to confer upon an Officer of one denomination all or any of the powers or duties of any other Offices or Officers within certain local limits or otherwise as may seem expedient.

21. 20. Power to direct that the appointment of all or any members of the establishments of the Deputy Commissioner, the Superintendent of Survey, and any other Officers whom the Government may hereafter direct shall not be made by them.

Power to confirm appointments the monthly salary of which exceeds Rupees thirty.

22. 21. Power to prescribe from time to time by notification what Revenue Officers shall use a seal and the

		ship's name and description such seal shall be.
23	22.	Power to direct what officers shall furnish security and for what amounts, and to vary such amounts from time to time and also to determine the number of sureties to be required when security is taken in the form of Schedule B. B
31.	30.	Power to permit any Revenue Officer to engage in any commercial transaction; to purchase at public sale held by any judicial or Revenue authority in the Division in which such Officer is employed. A

In Bombay this power is extended to the Collector & Superintendent of Survey.

132	31	Power to fine, suspend, reduce or dismiss any Officer under it for any offence under section 30 or for any breach of departmental rules, carelessness, unfitness, neglect of duty or other misconduct.	A		
		Power to delegate such power to any subordinate Officer.	A		
		Power to entertain an appeal against an order of the Deputy Commr. or the Superintendent of Survey, fining, suspending or dismissing a Revenue Officer subordinate to them.	A		
		Power to entertain appeal against an order of the Deputy Commissioner or Superintendent of Survey, passed with reference to such orders of any subordinate Revenue Officer, when the salary of the officer fined, suspended	A		

		or trespass exceeds Rs. thirty.			
34.	36.	Power to direct the manner of the disposal of public roads, lanes, paths &c., the property of Government.	B		
	38.	Power to exercise all powers necessary for the proper enjoyment or disposal of all unalienated rights to metals and minerals. Power to exempt certain minerals from the scope of section 38, by Notification from time to time.			
	38.	Power to adjudicate upon claims to right to minerals.		Final	
38.	39.	Power to set apart Government lands for free pasturage for the village cattle; for forest reserves &c.	B		In Bombay the Commissioner exercises the power.
		Power to issue general orders on this subject for the guidance of Survey Officers.	B		

		Power to sanction the appropriation or assignment for other purposes of lands so set apart.	B		In Bombay the Commr. exercises this power.
39.	40.	Power to prescribe general Rules regulating the free pasturage of village Cattle on lands set apart for such purpose.	B		
		Power to transfer to the occupant the right to Government trees standing upon his land in unsettled Talukas.			
		Power to frame rules from time to time under which such transfer can be made.	B		
40.	41.	Power to reserve the right to trees in unalienated land during settlement.			
41.	42.	Power to direct from time to time the manner of the preservation or disposal of reserved trees, brushwood jungles &c.			

47.	47.	Power to make rules from time to time as to decrease of assessments in case of deluvion.	A		
49.	49.	Power to fix the fair equivalents of the Commuted assessments, cess, fines, or tax under section 49.			
53.	51.	Power to prescribe from time to time the form of the Register to be kept by Deputy Commissioners of all alienated Lands.	B		
55.	53.	Power to fix from time to time, Rates for the use of Gauwater.	B		
		Power to revise these rates periodically.	B		

62.	60.	Power to make orders from time to time in regard to the sale of the right of occupancy.	A		
65	63.	Power to issue general orders in regard to the levy of fine for agricultural lands appropriated to purposes other than agriculture.	B b		
66.	64	Power to make general orders as to the fine to be levied for unauthorised appropriation of agricultural lands to other purposes.	B b		
67.	65	Power to grant permission to appropriate an agricultural land to non-agricultural purposes on special terms.	B		
74.	71.	Power to frame rules from time to time for the disposal of relinquished			

occupancies.

Power to frame General or Special rules directing that relinquishments of occupancies may have effect from any date other than from the close of the Current Revenue year. P. 2

Power to prescribe from time to time, for each District the date before which notice of relinquishment shall be given. P. 2

88. 99. Power to issue Commission conferring Special Powers upon holders of alienated lands. A

89. 100. Power to withdraw any such Commission or to issue it to the Agents or Agents of such holders.

95	106.	Power to direct a Revenue Survey of any land. Power to authorize that any land be excepted from the Survey Settlement. Power to control such Revenue Survey.			
98.	109.	Power to fix from time to time the minimum extent of land which shall be comprised in a Survey number. Power to vary the minimum extent so fixed generally or in particular Cases.	E		
101.	111.	Power to sanction the manner in which the assessment on purely agricultural lands shall be fixed.			

102.	112.	Power to sanction the assessment fixed by the Officer in charge of a Survey and to declare the term for which such assessment shall remain fixed.
		Power to fix such term for land held on Coffee tenure or granted for fuel or timber plantations, and to prescribe conditions for the same.
106.	115.	Power to direct a fresh Revenue Survey and revision of assessment.
108.	117.	Power to issue orders from time to time as to the records to be prepared by the Survey Officer at time of Settlement.
109.	118.	Power to sanction change of names in the Settlement Register after

		after two years from date of settlement.	
110.	119.	Power to direct what other records shall be kept by the Deputy Commissioner along with the Settlement Register.	A
118	126.	Power to nominate officers to determine the disputes relating to village boundaries	B
122.	130.	Power to issue orders regarding the size, material and description of boundary marks.	BB
126.	134.	Power to issue general or special orders for the guidance of Survey Officer or Deputy Commissioner for determining what lands should be included within any village, town or city; for fixing and from time to time varying the limits of the same; and for setting	A

apart building sites.

Power to sanction generally or specially the setting apart of (and used for agriculture only) for building sites.

135. Power to frame rules from time to time, for the disposal of building sites.

136. Power to make, and from time to time vary or rescind, rules

(a) declaring what lands in villages, towns and cities, ordinarily used for agriculture, shall be excepted from a survey settlement, and be exempt from land revenue, and

(b) fixing the assessment on lands not exempt from land Revenue and situated within the sites of villages towns and cities, for any term or in perpetuity.

131.	139.	Power to direct at any time the Survey or fresh Survey of lands within sites of villages, towns or cities, ordinarily used for purposes of agriculture only.			
132.	140.	Power to prescribe rules for the payment of Survey fee in respect of the Survey of any site in any town or city Containing more than 20,000 inhabitants.			
144	150.	Power to issue orders for the guidance of the Deputy Commissioner in disposing of the surplus profits of an attached village or portion of a village.	B.		In Bombay, the Commissioner exercises this Power.
146.	152.	Power to issue orders from time to time, determining the dates, the instalments and the places in which and the persons to whom Land Revenue shall be payable.	B		
148	154.	Power to issue orders from time to time, fixing the scale of penalty or interest to be levied on failure of			

		Land Revenue.			
152	158	Power to frame rules for the issue of notices of demand to defaulters of Land revenue, and to fix the costs recoverable from them, and to direct by what officers such notices shall be issued.	B D		In Bombay, this power is exercised by the Comm^r
154	160	Power to direct by what officers or class of officers distraint of moveable property shall be made.	BB		
157	163	Power to exempt, by special or general order, during such time as may be specified, particular places or individuals from arrest and imprisonment, and from time to time cancel such order.	B		
158	164	Power to declare from time to time what officers or class of officers shall exercise the powers of arrest and	B		In Bombay, this power is exercised by the Commissioner with the sanction of Government.

		and also to fix the costs of arrest and the amount of subsistence money.			
159	165.	Power to sanction the attachment and Government management of an entire village or share of a village when it is considered inexpedient to resort to any other means of recovering the arrears due thereon.	B		In Bombay, this power is exercised by the Commissioner.
162	168.	Power to dispose of surplus receipts of the years other than that in which an application for the restoration of an attached village or share of a village is made.			
183.	189.	Power to make rules from time to time as to the scale of the expenses of sale.	B		In Bombay, the Commissioner exercises this power under the orders of Govt.
	194.	Power to prescribe rules for advances to be made to the holders of arable land for the relief of-			

		distress, purchase of seed or cattle or other object not mentioned in the L. I. Act of 1871.	
197.	205.	Power to make special or general rules for the conduct of an enquiry which is not required by this Regulation to be either formal or summary.	I.
198.	206.	Power to authorize from time to time levy of charges for copying &c when copies and translations of decisions and orders &c are applied for in an enquiry, formal or summary.	B. V.
211.	217.	Power to call for and examine the records and proceedings of any subordinate Revenue Officer. Power to reverse, annul or modify in such cases, any decision of a subordinate Revenue Officer.	

212	218.	Power to modify, annul or reverse on revision, any decision or order declared to be final under the Regulation.			
12. B.R.J. Act.	226.	Power to refer questions in the trial or investigation of any suit, claim or objection which, but for the provisions of the Chapter XIV, might have been tried or investigated by a Civil Court, to the Chief Court for their decision, and to dispose of the case according to such decision.	A		
16. B.R.J. act-	230.	In any suit in a Civil Court against Government, or against any Revenue Officer, when the Government undertakes the defence, power to certify that the trial of such suit shall have precedence over any other suit pending in such Court.			

213. B.R.C.	232.	Power to make rules and prescribe fees for the inspection by persons applying for it and the granting of certified extracts to such persons, of all maps and survey records and village accounts and land registers.	B
214.	233.	Power to make rules or orders from time to time (1) to determine the qualifications of Officers appointed under section 20. (2) to regulate the power of fining, reducing, suspending and dismissing Revenue Officers under section 31. (3). – to prescribe rules for the disposal of unoccupied Government lands under section 36. (4) to dispose of trees not belonging to the occupant under section 41. (5) to prescribe the purposes for which agricultural lands shall be appropriated under section 45.	B

(6) to regulate the system and manner of assessing land under s.s. 50 & 111.

(7) to dispose of forfeited occupancies and alienated holdings under sec: 54 and of relinquished holdings under section 71.

(8) to regulate the grant of unoccupied lands under section 58.

(9) to fix the maximum amount of fine under section 59 for unauthorized occupation of land for non-agricultural purposes.

(10) to dispose of alluvial land under sec. 61.

(11) to the administration of Survey Settlement

(12) to dispose of building sites under section 135;

(13) to prescribe the mode, form and manner in which appeals under Chapter XIII shall be drawn up & presented

and

(14) generally for the guidance of all persons in matters connected with the

Enforcement of the Regulation, or in cases not expressly provided for therein.

Power to make the orders in cases 5 6 9 & 12 & 14 above, general or applicable to any particular instance

235. Power to provide for penalties for breach of any general rules published under section 234.

216 B.R.C 236. Power to authorise the extension of all or any of the provisions of Chapters VIII to X to alienated or Kayangutta villages on application made therefor.

239. Power to delegate to any officer by a special order, any of the powers conferred on Government by this Regulation & to cancel or alter the same.

45. B.R.C 240. Power to direct by law the levy of any tax cess or rate when the exigencies of the State render such levy necessary.

~~List of powers of Revenue Commissioner~~

(~~As found in Land Revenue Code~~).

Section of the Mysore Rev. Code		
~~4~~	~~4.~~	~~Subject to the Governor in Council, the~~ Chief Controlling authority in all matters Connected with the Land Revenue.-
	5.	Power to exercise such powers and discharge such duties as may, from time to time be prescribed by Govt. in reference to appeal, superintendence and Control within his Division and over the Officers subordinate to him, not inconsistent with the Land Revenue Code, or any other law for the time being in force.
	6.	Power to prescribe the duties to be performed by Assistants.
12.	10.	Power to appoint Mamlatdars.
~~13~~	~~11~~	~~Power to order the assignment of powers~~ " ~~&~~ duties to Mamlatdars, and to

Imp. in Sch. B

... subject whether the Mamlatdar or the Assistant or Deputy Collector or Collector in charge of the Taluka shall be his immediate superior for the purposes of section 203 (see also Rule 8 of R.C.)

Power to issue general orders ~~for~~ regarding the Amildar or Deputy Amildar ~~employed~~ under him or any of his subordinates to perform any portion of his ministerial duties.

Power to issue general orders for the appointment by ~~Collector~~ Deputy Collector of stipendiary Patels or village Accountants in villages where no hereditary Patels or village Accountants exist.

Power to ~~direct~~ prescribe what Registers, accounts & other records shall be kept by the village Accountant.

~~Power to transfer the Revenue powers of Mamlatdar to Assistant or Deputy Collector in charge of Taluka.~~

~~Power to appoint Assistant or Deputy Collector in charge of Taluka to be immediate superior of Mamlatdar.~~

~~Power to issue general orders regarding the duties of Mamlatdar.~~

~~Power to appoint Mamlatdar to perform any portion of the ministerial duties of Deputy Collector in charge of Taluka.~~

~~Power to issue general orders regarding the duties of Deputy Collector in charge of Taluka.~~

~~Power to appoint Deputy Collector in charge of Taluka to perform any portion of the ministerial duties of Mamlatdar.~~

~~Power to appoint Deputy Collector in charge of Taluka to perform any portion of the Revenue duties of Mamlatdar.~~

~~Power to appoint Mamlatdar to perform any portion of the Revenue duties of Deputy Collector in charge of Taluka.~~

~~Power to appoint Deputy Collector in charge of Taluka to perform any portion of the Revenue duties of one or more Talukas in addition.~~

21 | 120

Power to ~~appoint members of his own establishment to act as his assistants and to delegate to them such of his powers as he may think fit, including the power to hear appeals from orders passed by them, reducing or increasing the salaries of the Mamlatdars or Talukdars~~ Confirm appointments of Taluka Sheristedars etc

Make appointments of Mamlatdars Karkuns Bailiffs Peons etc

X | 132

Power to order the disposal of public roads &c, the property of Govt

~~under the control of Government~~

Under general rules or special orders of Govt

38 | 139

Power to set apart Government lands for free pasturage for the village cattle; for forest preserves &c.

Power to sanction the appropriation or assignment, ~~for other purposes~~, of lands to set apart. ✓

39 | 140.

Power to ~~make~~ provide by special rules ~~to be made by the Collector~~ for regulating the right of grazing on free pasturage lands.

Collector's decision final

~~Power to make rules in substitution of the provisions of section 60 or 74, their alteration or cancellation~~

~~Sec. suspended by Government.~~

~~Sec. to relate to all timber [illegible] before occupancy and intended, unoccupied land.~~

~~Sec. 14 refers to relinquishment of occupancy.~~

98 | 109 ~~Power to authorize special or general survey~~ being made of less extent than the minima fixed by this Section.

144 | 150. Power to issue orders ~~for the recovery~~ regarding the default or payment of the ~~Collector~~ profits of an attached village or portion of a village.

152 | 158 Power to make rules for the issue of notices of demand,-

157 | 165. Power to sanction the attachment and Government management of an entire village or share of a village when it is considered inexpedient to resort to any other means of recovering the arrears due thereon.-

List of powers of Revenue Commissioner with previous approval of Government.

152 to 158. Power to make, ~~with the previous approval of Government~~ Sanction, Rules fixing the Costs recoverable from defaulters, and directing what officers shall issue notices of Demand.

154 to 160. Power to direct ~~under the orders of Government~~, what officers or class of officers shall distrain moveable property of defaulters.

158 to 164. Power to declare from time to time ~~with the previous approval of Government~~, what officers or class of officers shall exercise the powers of arrest and also to fix the Costs of arrest and the amount of Subsistence mon[illegible]

1873 | 189.

Power to ~~make~~ prescribe rules ~~under the orders of Government as to the costs~~ for determining the Expenses of Sale.

Schedule I

S. 8 ✓✓
12 ✓✓
20 ✓✓
32
40
109 ✓✓
150 ✓✓
158 Para 1 ✓✓
165 ✓
~~Schedule~~
~~Schedule~~
14
15
36
~~Schedule~~
~~Schedule~~
~~Schedule~~

List of powers of Deputy Commissioners

Section of Bombay Code	Corresponding Section of Supreme Code	Description of power —	Inquiry — whether summary or ~~formal~~	Whether orders passed are final	Remarks
8	6	Power to exercise throughout his District all the powers & discharge all the duties conferred & imposed on an Assistant Commissioner by this Regulation or any other law for the time being in force.			
10	8	Power to assign to such Asst to Commr as may not be placed in charge of Talukas, duties & powers under the General or Special orders of Govt.			
14	12	Power to issue General orders for an Assistant or Dy Assistant to employ any of his subordinates to perform any portion of his ministerial duties.			This power vests also in the Govt
16	14	Power to appoint under the General Orders of Govt			

		village where no Secretary Patel or Village Accountant exists.
16		Power to cause Registers, Accounts or other records or copies thereof, of an alienated village to be prepared by any other person and to levy the cost of such preparation from the Holder thereof, when he fails to keep or deposit them himself.
21	20	Power to appoint the Members of his own Establishment and of the Establishments of Asst. Collectors, Amildars & Dy. Amildars and all other subordinate Revenue Officers, subject to Confirmation by Govt. in case of appointment to the monthly Salary of which Exceeds Rupees thirty.
		Power to delegate any portion of this Power to any subordinate Officer, subject to the retention of a right of revision.
24	23	Power to demand fresh or additional security when the security already furnished is insufficient.

is transferred to an office for which larger securities is required or for other sufficient reason.

Power to suspend or dismiss such officer when he fails to furnish the fresh or additional securities within a given time not less than one months.

25 24 Power to require by writing, from any Revenue Officer or person formerly employed as such in his District the delivery of any moneys or papers or other Govt property

Power to depute an Officer to do the same.

Power to cause to be apprehended under a warrant and to confine in the Civil Jail for not more than one months any person failing to discharge the sums or to deliver up the papers or property demanded from him.

26 25 Power to recover as an arrear of land revenue

From any Officer or person who is or was

		Treasury Officer, of the Survey Department in his District upon the application of the Survey Superintendent any public money due by him.
		Power to issue search warrants and exercise the powers of a Magistrate under the provisions of Chap VII of the Criminal Procedure Code 1882, for the purpose of recovering public papers or other property appertaining to Govt.
28	27	Power to cause any person arrested and confined in Jail under Sec. 24, to be liberated and to countermand the sale of any property that may have been attached and restore it to the owner or other person from whose possession such property may have been seized.
31	30	Power to permit any Revenue Officer under the Grade of a Taluk Sheristedar to engage in commercial transactions or to purchase at public sales except when he conducts the sale himself.

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Duty. Commissioner's Powers.

32 31 Power to fine, suspend, reduce or dismiss any officer under him for any offence under Sec: 30 or for any breach of departmental rules, carelessness, unfitness, neglect of duty or other misconduct.

Power to delegate such power to any subordinate officer.

35 32 Power to entertain an appeal against an ~~or~~ order of a subordinate Revenue officer, fining, reducing, suspending or dismissing an officer under him when the salary of the last mentioned officer does not exceed Rs. 30 per mensem. Trial

37 36 Power to dispose in such manner as may be authorised by Govt. public roads &c, the property of Govt.

37 Power to take possession of the property surrendered [illegible] Forms V

		part to whom it has been held for a period of not less than 12 years.	Enquiry		
		Power to clear such land of any buildings or other obstruction in case they are not removed after notice.			
	38	Power to receive claims to right to minerals, to enquire into the same & submit proceedings to Govt.	Formal Enquiry	The decision of Govt. Final	2
39	40	Power to issue order regarding the right of grazing on free pasturage lands.		Final	
		Power to prescribe rules from time to time regulating the grazing of village cattle on free pasturage lands.			
42	43	Power to direct the removal of roadside trees.			9 Summary.
		Power to deduct the strip of land covered by roadside trees from the holding of the occupant & remit the proportionate assessment.			9 Summary
43	44	Power to institute Criminal proceedings against any person unauthorizedly felling and appropriating any such trees & in lieu of imposing a fine			

		Power to determine value of trees &c. felled.	Trial
48	48	Power to prohibit the appropriation of any alienated assessed land for certain purposes	
		Power to summarily evict any holder who may appropriate or attempt to appropriate the same to such prohibited purposes.	
52	50	Power to fix the amount of the assessment on all lands not wholly exempt from payment of land revenue and not within the local operation of an order made under Sec: 106.	
53	51	Power to grant a certified Extract from the Register of alienated land ~~to any person~~ who has lost the originals ~~issued~~	
56	54	Power to levy all arrears of land ~~revenue~~ by sale of the occupancy or alienated holding free of all incumbrances, or to dispose of such occupancy or alienated holding under Rules under Sec: 233	
57	55	Power to take immediate possession of a forfeited holding ~~& disbar~~	

		Power to determine value of trees so felled.	Trial.
48	48	Power to prohibit the appropriation of any unalienated assessed land for certain purposes	
		Power to summarily evict any holder who may appropriate or attempt to appropriate the same to such prohibited purposes.	
52	50	Power to fix the amount of the assessment on all lands not wholly exempt from payment of land revenue and not within the local operation of an order made under Sec: 106.	
53	51	Power to grant a certified Extract from the Register of alienated Land to any person who has lost the original Deed	
56	54	Power to levy all arrears of land revenue by sale of the occupancy or alienated holding free of all incumbrances, or to dispose of such occupancy or alienated holding under Rules under Sec: 233	
57	55	Power to take immediate possession of a forfeited holding & dispose	

59	57	Power to enquire into & punish cases of breach of the provisions of Sec: 56, viz; failure to grant receipts;	Summary Enquiry	
61	59	Power to fine at discretion any person unauthorized appropriating Govt land for purposes of cultivation or otherwise.		
		Power to determine the amount of assessment payable for land unauthorized occupied		Trial
		Power to evict summarily persons unauthorized occupying land — & to forfeit to Govt any crops, buildings, &c on such land in case of non-removal after notice.		
		Power to dispose of such forfeited property		
62	60	Power to require, under Govt order issued from time to time, the payment of a price for the occupancy, or to sell the right by auction and grant such conditions &c as he may deem fit		

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63	61	Power to offer for a price the prior right of occupancy of Govt alluvial land to the occupant of the bank or share on which it has formed.
		Power to dispose of such alluvial land in case of the refusal of the said occupant to purchase it.
65	63	Power to permit or refuse to permit any occupant to appropriate his holding to any other purpose than agriculture
		Power to direct that such applications may be made by other than the registered occupant in particular instances.
		Power to require the payment of a fine for lands so appropriated
66	64	Power to evict summarily any person who so appropriates any such land without obtaining previous permission.
		Power to direct the amount of the fine to be imposed in such cases

		Power to sue any co-occupant or tenant of any occupant, or other person who may have, without the registered occupant's consent, appropriated any such land to any non-agricultural purpose.
70	67	Power to order change in the entry of the registered occupant's name in pursuance of a decree or order of a competent Court.
71	68	Power to cause the name of the heir of a deceased registered occupant to be registered in lieu of that of the deceased.
	69	Power to amend the entry of name made as above in pursuance of a certificate of heirship or of a decree or order of a competent Court.
73	70	Power to accept an agreement to become an occupant.
74	71	Power to dispose of relinquished occupancies.
75	72	Power to authorize the relinquishment of one or more of several fields or survey numbers upon which a lump assessment

to fix it; and to determine, in case of division of such
numbers, the proportional amount of said Revenue
on the portion retained;

79 | 76 | Power to refuse to recognise any person to whom any
interest in any portion of an occupancy or
allotted holding has been assigned, unless
the transfer has been recorded in the
Revenue Record.

80 | 77 | Power to receive said Revenue from persons other than
the registered occupants who are interested in
the Continuance of the occupancy.

Power to sue such persons such aid as a registered
occupant is entitled to, for the recovery of
proportional amounts payable by other persons
in occupation of parts of a field or survey
number.

87 | 78 | Power, in cases where the sale of an occupancy of a
defaulting registered occupant operates
unfairly or injuriously to the prejudice
of Cooccupants or other persons interested
in the Continuance of the occupancy, to
forfeit only the defaulting registered
occupant's interest in it & to substitute

		the name of any ~~occupant~~ other person as registered occupant on his paying the arrears on the occupancy.	
29. N.W.P. Land Act	83.	Power to determine the rent payable by a tenant to his landlord in cases of leases fixing rent in perpetuity when there has been an ~~enhancement or abatement~~ of the assessment payable by the landlord on unalienated land to Govt.	
	88.	Power to Entertain suits for enhancement or abatement of rent.	Formal Enquiry in accordance with the provisions of the Civil Pro. Code.
8. Madras Rent Recovery Act	92	Power to Entertain suits for leases ~~the~~ granted by Superior Holders of alienated land to their tenants	—do—
9 & 10 do.	93	Power to Entertain suits in case of refusal of tenant to accept lease or to execute reciprocal engagement & to determine on enquiry whether the lease is a proper one & to direct suits alteration where it is not.	—do—

41		Power to order the ejectment of a tenant on his failure to accept the lease or execute a reciprocal engagement in accordance with the decision of the Dy Comr.	
71 Madras R R Act	95	Power to grant a lease under his hand and seal when a lease as decreed by him has been refused or delayed by the superior holder.	
86 B R C	98	Power to render assistance after enquiry to superior holders for the recovery of rent due from inferior holders or co-sharers.	Summary Enquiry.
90	101	Power to give orders after enquiry for the sale of property attached by a holder of alienated land.	Enquiry.
91	102	Power to accept securities from tenants in alienated villages, against whom coercive process has been taken by their superior holders.	
		Power to fine such superior holder or his agent for proceeding against the	Summary

		tenant after payment of the rent due or the furnishing of security therefor.	Enquiry	
93	134	Power to enquire into & decide the proper amount of a demand by the holder of a Commission,	D & A	
		Power to award on enquiry, damages to a tenant for any excess rent received from him by the holder of a Commission	do	
103	113	Power to publicly announce the assessment fixed on each Survey Number, after due notice of the date of the announcement.		Mio Power vests also in the Survey Officer or an Asstt Commr
109	118	Power to correct clerical & other admitted errors in the Settlement Register when the Settlement has been introduced by him under Sec: 113.		
		Power to correct, after enquiry, errors in the Settlement Register, if application be made therefor within 2 years after the Settlement, and do the same after 2 years with the sanction of the Govt.	Enquiry	

		appropriated for any purpose.	
119	127	Power to decide disputes concerning the boundary of a field or holding which has not been surveyed, and disputes concerning the boundary of any survey number, if the dispute arises at any time after the survey records have been handed over to the Deputy Commr.	
124	132	Power to have charge of boundary marks after the introduction of survey settlement and to take measures for their maintenance and good repair.	
		Power to exercise all the powers conferred on a Survey Officer by Sec 130 in regard to the construction and repair of boundary marks.	
125	133	Power to enquire into cases of wilful erasure & removal for injury to or unauthorized erection of a boundary mark and to fine persons convicted of the offence	Summary Enquiry

Power of ...

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110	119	Power to cause to be registered in the village records and accounts all changes which may take place & anything that may affect any of the rights or interests therein recorded.
111	120	Power to conduct the revenue management of any alienated village or estate coming under the temporary management of Govt. officers.
113	122	Power to subdivide Survey Numbers -
		Power to dispose of any surplus land which is incapable of sub-division owing to the provisions of Sec. 109.
		Power to determine the proportion of the expenses incurred in making such partition which should be recovered from the sharers at whose request it is made or from other interested persons
114	123	Power to divide a settled alienated village between coSharers.
		Power to delegate such power to any other officer.
116	125	Power to separately demarcate any portion of cultivable land which is allowed to

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126	134	Power to determine what lands are included within the site of any village town or city; to fix and from time to time vary the limits of the same; and beat apart to building sites
	135	Power to dispose of building sites under rules framed by Govt.
132	140	Power to assess the fee payable for leases of sites in towns or cities containing more than 2000 inhabitants.
		Power to require by a public notice the payment of such fee within 6 months from date of notice.
133	141	Power to issue a Lawad for such building site after payment of the said fee.
		Power to demand an extra fee when the Lawad has not been taken within 6 months from date of notice
140	146	Power to prevent removal of any crop

		sold or otherwise disposed of by private agreement or order of a Civil Court or other public authority until the revenue of the land is paid.	
141	147	In order to secure the land revenue by enforcement of the said lien on the crop, power to prevent the reaping of the crop without a notice. Power to prevent the removal of the crop without permission. Power to place watchmen over it to prevent the unlawful reaping or removal of the same, and to realize the watchmen's wages as an arrear of land revenue.	
142	148	Power to enquire into cases of disobedience of orders issued under Sec. 147 and to fine the offender on conviction.	Summary Enquiry

143	149	Power to sell the crop or portion of it in realization of land revenue, or to release the crop and take other measures for the recovery of the revenue.
144	150	Power to attach and take under Government management an entire village or share of a village when there is reason to apprehend that the land revenue on it will not be paid as it falls due.
		Power to direct the payment of surplus profits of an attached village or portion thereof to persons entitled to the same, subject to the orders of Govt.
145	151	Power to relinquish the precautionary measures for the realization of land revenue under Sec: 146 to 150 if satisfactory security is furnished for its payment.
148	154	Power to levy the entire balance of land revenue due by a defaulter for the current

revenue year when any instalment is not fully paid, with such penalty or interest as may be fixed by Govt.

149 155 Power to recover the land revenue due on account of another District on receipt of a certified statement of the arrear from the Dy Comr of that District.

153 159 Power to forfeit an occupancy or alienated holding & sell or dispose of it for the recovery of land revenue.

154 160 Power to distrain & sell defaulter's moveable property.

155 161 Power to sell the right, title & interest of a defaulter in any immoveable property other than the land on which the arrear is due.

156 162 Power to decide what property shall be exempt from distraint or sale for arrears of revenue

final

6/

157	163	Power to arrest & detain a defaulter in Custody for 10 days in his office or in that of the Amildar or Dy Amildar when an arrear of land revenue is not realized by the sale of defaulter's property & the Dy Comr believes that the defaulter wilfully withholds payment or is guilty of fraudulent Conduct to evade payment.
		Power to send a revenue defaulter to Civil Jail on the Expiry of the said period of 10 days or earlier if the arrears be not paid within that time.
159	165	When the arrears are due upon an Entire village or share of a village & when it is considered

inexpedient to resort to the
foregoing means of recovery
power, with sanction of Govt,
to attach such village or
share of a village & take
it under his own management
or that of an agent
appointed by him —

160 166 Power to manage the lands attached & to
receive all rents & profits
accruing therefrom until he
restores the lands to the
management of the Superior
holder.

162 168 Power to release the village or share
of the village from attachment
& restore it to the management
of the Superior holder on his
application made within
12 years, if at the time —

the arrear or the balance of arrear due has been liquidated or if the Superior holder pays the balance within a time to be fixed by the Deputy Comr.

Power to make over the surplus receipts which have accrued in the year in which the application for reclamation is made.

164 | 170 | Power to set at liberty a defaulter detained in custody or imprisonment & to stay the Execution of any process on the defaulter furnishing security before him or any officer nominated by him or to the officer in charge of the Jail.

165 | 171 | Power to direct in what places proclamation of the sale of moveable property shall be made.

166 | 172 | Power to cause notice of sale of moveable or immoveable property in any other manner than that described in the Section.

167	173	Power to direct by whom sales shall be conducted.
168	174	Power to make general or special orders for the sale of perishable articles.
170	176	Power to make general or special orders as to the confirmation or otherwise of the sale of immovable property other than perishable articles. Power to direct by whom such confirmation can be made.
176	182	Power to recover as an arrear of land revenue from a defaulting purchaser any difference of price resulting from a resale.
178	184	Power to set aside the sale & order a fresh sale of any immovable property on application made within 30 days after the sale on the ground of some material irregularity, mistake or fraud in publishing or conducting the sale when the Dy Comr

7/

		is satisfied that the complainant has sustained substantial injury by the irregularity, mistake or fraud.	
179	185	Power to confirm the sale of any immoveable property on the expiration of 30 days after sale if no application for a resale has been received or if such an application has been rejected.	
		Power to set aside a sale when he has reason to think that the same ought to be set aside notwithstanding that no application has been made for it or on grounds other than those alleged in the application.	
186	192	Power to dispose of claims to attached moveable property	Summary Inquiry

202 209 In cases of resistance or obstruction to the execution of any process for eviction, power to hold an enquiry & issue a warrant for the arrest of the offender & commit him to close custody in his office or send him for imprisonment in the Civil Jail of the district for a period not exceeding 30 days

Summary Enquiry

211 217 Power to call for & examine the records and proceedings of any Subordinate Revenue Officer

Power to modify, annul or reverse in such cases any decision of a Subordinate Revenue Officer.

Compared MKL

1/1/25

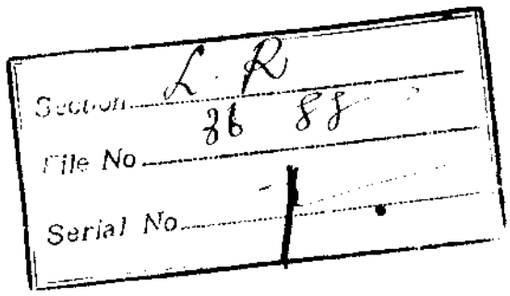
1886

The Supte Lucan

Dated 19—12—86

No. 5932/82

From the Lucan Jo. 44 D. 2—89.



The Superintendent of Revenue Survey & Settlt. in Mysore.

No 5932/82 of 14-12-88

Sir,

Order —

The Mysore Land Rev: Code which comes into operation on 1st April 1889, and the Rules thereunder which the Govt expect to be able to publish within the next month or six weeks will supersede ~~the Code~~ ~~and~~ most of the orders & rules contained in the Compilation known as the Revenue Manual, 1886, and the Compilation of the Revenue Acts and principal orders in force in Mysore, 1874-. ~~The Code~~ It is under contemplation to publish simultaneously a fresh compilation of all Rules and orders relating to revenue matters, not repealed by the new Land Revenue Code and the Rules thereunder—

The Supt of Inam Settlement
is accordingly requested
to submit for approval
and publication, a compilation
of all rules and standing
orders now in force relating to Inams of
all descriptions, to the Inam
Settlement which has been
completed and to the duties
of Revenue Officers in the
carrying out of such settlement.
It is believed that special
facilities exist in the Inam
~~Superintendent~~ The Compilation
should shew what Rules or
orders have received the
Express sanction of the Govt
of India, and the Dewan
would like to be able
to publish the Inam Compilation
as early as possible.

RKS
Chpleey

19/12/85

To. The Superintendent of Inam Settlement
in Mysore

L. R.

35-6(2)

To. The Supdt of Revl Survey
& Settlt in Mysre

Sir,

~~With reference to the draft Rules framed by you for issue under the new Land Revenue Code~~, I am ~~requested~~ desired to inform you that ~~the Opinions of local Officers~~ the Govt of Mysre and Heads of Departments have been requested to furnish the Govt with their Opinions regarding the Draft Rules framed by you for issue under the new Land Revenue Code. These Opinions will be compiled in the Legislative Deptt where the Draft Rules are already undergoing revision in some particulars. ~~I am desired to request that you~~ Before final adoption The Diwan accepts your recommendation that the Rules in question should be fully discussed by a Special Committee

of Officers before ~~them~~ they are finally adopted, and he accordingly nominates the following Committee for the purpose.

Col. J. P. Grant - Supt. of Revenue & Inam Settlt. — President

Major Alt. Macaulay, Dy Com.r, Bangalore
Mr. R. Vijayaraghava Rao, Chief Secretary
Mr. P. N. Krishna Murti, Dy Com.r, Kankan.
Mr. S. Venkat Varadarajar, Legislative Secy. } Members

Mr. S. Venkat Varadarajar, Legislative Secy will also act as Secy. to the Committee

The Committee should meet as soon after the Xmas holidays as possible, and the Dewan would like to have their final report and Draft, ~~as practicable~~, before the 25th January 1889, so as to allow of ~~their~~ the publication of the sanctioned Rules in the first week of February. Should there arise any questions of special importance on which the Committee

4

consider it necessary to have the opinion of the Govt., I am to request that a note of such questions may be submitted as early as possible before the date above named—

I have &c

The Committee's report should be ~~duly~~ accompanied, I am to request, by a list of all Rules and standing orders contained in the marginally noted compilations which ~~have not been~~ may not be superseded by the new land Revenue Code & the Rules thereunder.

I have &c

by Offg. Chf. Secy.

14/12/85

*1. Compilation of the Revenue Acts & principal orders in force in Mysore, 1874.
2. Survey Manual, 1879.
3. Mysore Revenue Manual, 1886.

To.

Sir, I am directed to forward for your information & guidance copy of the marginally noted letter and to request that you will act on the Committee therein appointed—

I have &c

Chf Secy

1
C. 42

1888

The Superintendent
Rev Survey

Dated 19 Dec 12 88

Cl. 5956
82 1/2

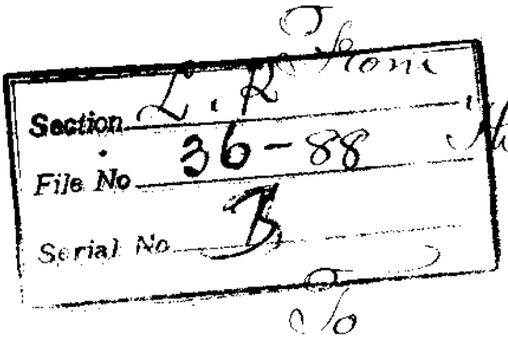
Huron Thos-ams-Co. 88 Dec 18-3

86

Decemby 1888

L 5934-7 Encl
171

Office of the Diwan of Mysore
Bangalore, 19th December
1888



To,

The Chief Secretary to the
Diwan of Mysore,

S. Venkatavaradayar Esq.
Legislative Secretary

Sir,

I am directed to forward
for your information and
guidance, Copy of the marginally
5956 of 19-12-88 noted letter, and to request
8/11 that you will act on the
Committee therein appointed.

I have the honor to be
Sir
Your most obedient

For Chief Secretary

Regd No 46

From

The Chief Secretary -

No 5984-7 of 19th Decr 88

171

Forwarding for info[rmation] & Mutation a Copy of the letter No 5956 of 81 19th Decr 1888

Office of the Dewan of Mysore
Dated Bangalore 19 December 85

No: 5956/81

To

The Superintendent of
Revenue Survey &
Settlement, in Mysore.

Sir,

I am directed to inform you that Deputy Commissioners and Heads of Departments have been requested to furnish the Government with their opinions regarding the Draft Rules framed by you for issue under the new Land Revenue Code. These opinions will be compiled in the Legislative Department, where the draft Rules are already undergoing revision in some particulars. The Dewan accepts your recommendation, that the Rules in question should be fully discussed by a Special Committee of

officers

officers before they are finally adopted, and he accordingly nominates the following Committee for the purpose:-

President- Colonel J. P. Grant
Superintendent of Revenue
Survey & Inam Settlements.

Members Major A. H. Macaulay,
Deputy Commissioner,
Bangalore.

Mr. R. Vijayendra Rao,
Chief Secretary.

Mr. P. V. Krishna Murti,
Deputy Commissioner,
Tumkur.

Mr. S. Venkatavardiengar,
Legislative Secretary.

Mr. S. Venkatavardiengar, Legislative Secretary will also act as Secretary to the Committee

2. The Committee should meet as soon after the Xmas holidays as possible, and the Dewan would like to have their final report

Report and Draft, before the 25th January 1889, so as to allow of the publication of the Sanctioned Rules in the first week of February.

Should there arise any questions of special importance, in which the Committee consider it necessary to have the opinion of the Government, I am to request that a note of such questions may be submitted as early as possible before the date above named.

3. The Committee's report should be accompanied, I am to request, by a list of all Rules & standing orders contained in the marginally noted compilations, which may not be superseded by the new Land Revenue Code and the Rules there under

I have &c:
(Sd) E. Medairan
For Chief Secretary.

Copy.

For Chief Secretary

Compilation of the Rules & Orders of Government
1. Orders in force in Nagpur 1874.
2. Survey Manual 1879.
3. Mysore Revenue Manual 1886.

9/42 (General Serial No 31.)

1888.9

From

Section
File No 36-88 To
Serial No 69

The Secretary
Draft Rev: Rules
Committee

Dated 26/12/88
Despatched
Received

Enclosures No. one

General No. 5934-7
Civ No. 171

Sir,

I am directed to forward for your information & guidance copy of the marginally noted letter, and to request that you will act on the Committee therein appointed

I have &c

[illegible]

1 Major A.H. Macarthur
By: Col, Bowdler
2 H. Vignes Rev Dy Chief Secretary
3 C.E. Kristmanson
By: Col, Thompson
4 S. Venkatarangayya
Registr: Land Revs

X Letter No: 5956 of 19
82½
December 88
to Supdt Revenue Survey

(General Serial No. 29.) Resp No 47

1888.

92

From The Deputy Commissr
Shimoga Distt

To Legislative
The ~~Chief~~ Secretary to the Dewan
of Mysore.

Section
File No 36-88
Serial No 47

Dated 29th December
Despatched Camp Kalinkatti
Received

Enclosures No.
General No.
Camp No. C

Legislative Secretary
letter No. 49 dated 21
December 1888 forwarding
a printed draft of Rules
framed under the
Mysore Revenue Code.

With reference to
the above, has the
to request the favor
being furnished with
another printed copy
of the Draft Rules for
the use of the Office

in putting up the circular applicable to matters provided for in the rules.

93

M. Jambunathan

Deputy Commissioner
Shimoga District

94

Section
File No 36 - 88
Serial No 5

1888/89.

MYSORE P. W. DEPARTMENT.

LEGISLATIVE SECRETARY'S OFFICE
MYSORE
57
18 JAN. 89

No. 61/7

From

The Secretary to the Government of Mysore.

To The Secretary to the Dewan of Mysore. Legislative Department

Dated Bangalore 17th January 1889.

Despatched

Enclosure No.

Subject.

"A" No. 57 of 21/1/89.

MYSORE P. W. DEPARTMENT,
CENTRAL OFFICE,
Bangalore 4th January 1889.

No. 4/7 95

From

The Secretary to the Government of Mysore,
P. W. Department.

To The Secretary to the
Dewan of Ellypore -
Legislative Department

SIR,

I have the honor to acknowledge the receipt of copy of draft rules framed under the Ellypore Land Revenue Code forwarded with your letter dt. 5th of 21st ultimo, and to inform you that the same having reached the Superintending Engineer who is on a tour of inspection only on the 29th idem it was quite impossible to give by the 3rd instant the "particularly full and complete" suggestions asked for. ——

II. — I am desired to state that to go carefully through the provisions of the Code, would take a considerable time and all that can now be suggested is a clause to the effect that lands falling within 3 or even 6 ft above the weir level of more important tanks in the Province, should be given out on condition that they are liable to be submerged eventually, and garden cultivation

cultivation thereon prohibited. There is no doubt that such a provision is necessary, if heavy compensation in the future is to be avoided, as this Department is gradually raising the water level of nearly all important Tanks, and as time elapses and the capacity of the Tanks is reduced by silting, this process must go on, to avert the loss of wet cultivation. In the Soligere Tank, Shimkur District Colonel Bowen recently particularly noticed how garden cultivation was being pushed down to the waters edge; and where there are gardens there is always a great outcry against raising the water level.—

I have the honor to be,

Sir,

Your most Obedient Servant.

C. Huttensington Major, R.E.

Asst. Secretary to the Govt. of Mysore P.W. Dept.

Bangalore
7th January/88

(General Serial No. 29.)

1889

From The Dy Commissioner

To Bangalore District

The ~~Chief~~ Secretary ~~to the Dewan of Mysore.~~

Legislative Department.

Bangalore.

Dated 7th January 1889.

Despatched

Received

Enclosures No. two

General No.

29 No. 617.

Forwards for consideration of the Committee two Statements one shewing the Sections of the New Code under which Rules appear to be required & the other shewing some of the old Rules which under a modified form may be incorporated with the New Rules.

To No 43/21/12

Section

File No 26-87

Serial No 6

Dy Commissioner's Office
Bangalore District.
Dated 7th January 1889.

D. No. 617
Enclo 2.

From

The Dy Commissioner
Bangalore District.

To

The Secretary
Legislative Department.
Bangalore.

Sir,

In reply to your letter No. 43 dated 28th Ultimo, I have the honor to refer you to Mr Ricketts' No. 773 dated 31st October 1885 to your address with which an interleaved copy of the Draft Rules containing remarks on them in detail was forwarded.

2. The time allowed for a thorough Examination of the Rules that have been in force for several years past and which seem to have been omitted in the Draft - being so short it is impossible to comply with the request conveyed in Para 3 of your letter.

3. However, I beg to append for consideration of the Committee, two Statements

one shewing the Sections of the New Code under which Rules appear to be required and the other shewing some of the old Rules, which under a modified form may, with propriety, be incorporated with the new Rules.

4. I regret that owing to the Camp of Exercise and Jamabandi work I will be unable to attend any meetings of the Committee for some time.

I have the honor to be

Sir,

Your Most-Obedient Servant.

A. Macaulay

Dy Commissioner.
Bangalore District.

W.L.S.

1893

Mems No 1

Section 5 The Territories of Mysore to be divided into Districts.

Do 12 Amildar or Deputy Amildar may depute subordinates to perform certain of his duties.

Do 14 Stipendiary Potel and Village Accountant to be appointed where no hereditary Potel or Village Accountant exists.

Do 15 Village Accountant to keep such records as he may be required to keep by Government.

Do 16 Holder of alienated village to keep such records as are prescribed by Government.

Do 21 Seals.

Do 30 Prohibited Acts.

Do 53 Rates for the use of water.

Do 60 Occupancy right to be paid for and to be liable to certain conditions.

Do 66 Occupants' rights are conditional.

Do 152 Government to determine the dates on which land revenue shall be payable.

Do 163 Arrest and detention of defaulter.

Do 189 Application of proceeds of sale.

Do 194 Power to Government to make rules as to advances made.

Section 233

(a) Qualifications of members of Establishments (Local Service Examination Rules).

(h) General Rules.

Commission

By Commissioners

Secy.

Memo No II

1 Jamabandi Rules (Revenue Manual page 1 to 6). with modifications as may be required.

2 Items of Revenue to be strictly defined which should be recoverable as a Revenue demand under the New Code.

3. Grant of lands containing date trees to be noted in connection with Rules framed under Chapter VI of the Code. (Revenue Manual Page 9.)

4. Rules about grant of land under Shroya tenure (Revenue Manual Page 10) and Garden cultivation on favourable terms under Notification No 121 dated 17th September 1887. (to be added to Rules 20 of the Draft Rules.

5. Issue of Pattas (Page 15 Revenue Manual).

6 Fees to be collected on notices of Demand (Revenue Manual Pages 17 and 18) to be added to Rules 83 and 84 of Draft Rules.

7 Forms of sale notices of moveable and immoveable properties and form of sale certificate (Revenue Manual Pages 18, 19, 26 and 27) in connection with section 160 of the New Revenue Code.

8. Rules for the maintenance of Tanks, Tank beds

feeders and channels &c.

4. Coffee Rules.

As recommended

by Commissioner

(General Serial No. 29.)

LEGISLATIVE SECRETARIAT MYSORE 24 JAN 89

1889.

102

From The Deputy Commr
Shimoga Distt

To Legislature
The ~~Chief~~ Secretary to the Dewan
of Mysore.

Section	
File No	36-88
Serial No	7

Rec'd 19th January/89
Despatched 21st Camp Sagar.
Received

Enclosures No. / with Copies
General No. 650 of Proc^s
No. 1

In continuation of this office Docket No. 624/589 dated 2d. Instant and with reference to para 3 of the Legislature Secretary's letter No. 49 dated 21st ultimo has the honor to forward herewith a memo shewing the nos and dates of orders and rules held to be authoritative on the subjects referred to in the sections quoted

quoted in par
Copies of such
found in the
of 1886 or in t
subsequent da
Proceedings Boo

thereof, together with
them as are not the
sore Revenue Manual
mpore Gazettes of
or in the monthly
f the Dewān.

Dat
Madhavarao

Dy Commissioner
Shimoga Dt

General No 1506
Rev: n 6.

Mysore Commissioner's Office
Bangalore 14th June 1867.

Circular

To

The Offg Superintending of the
Nagar Division

Sir,

It having been brought to the notice of the Offg Commissioner that Registers of Lands sold on account of arrears of Government rent due by ryots are not kept in a regular form by District officers, and that recourse to the sale of immoveable property for the payment of such arrears is more frequent than desirable, or the nature of the cases warrant the sales moreover in many instances being carried out without the consent or authority of the Superintendent, I

I am directed by the Offg Commr
to forward the accompanying form
of Register which he desires, may be
circulated to the Deputy Superintendents
for their future guidance and to state
that although they are at liberty to direct
the attachment and sale of the crop
or in case this has been cut and
carried, to attach the land of the
Defaulter, Deputy Superintendents are
not empowered to authorize the sale
of immoveable properties without in the
first instance reporting the circumstances
to the Superintendent of the Division
in form prescribed and obtaining
that officers final orders in each
case. I have &c.
sd/ Fredway G. Clarke
Offg. Secretary.

Copy

for Deputy Commissioner

General Circular No 1

The 25th September 1871

It having been brought to notice that difficulties have been experienced in recovering from defaulters arrears of revenue due on Government lands, in consequence of the powers vested in District Officers under Clause 2 of para XVI of the Revenue Survey Rules, being limited to the authority to sell the right of occupancy in such lands by public auction, the Chief Commissioner directs that wherever, in such cases, the whole of the arrears due to Government may not have been realized the sale of the defaulter's holding, the Deputy

Deputy Superintendent shall be competent to attach the moveable property of the defaulter to such extent as may be necessary to effect that purpose, and provided that the sanction of the Superintendent of the Division shall have been previously applied for and obtained, to sell such property by public auction.

2. The operation of this order extends to all Taluks, whether such have come under the operation of the revenue Survey and settlement or not.

"By Order"
sd/ J. Clarke
Offg. Secretary

"Copy."

[signature]
for Deputy Commissioner

Mysore Comrs' office

Genl. no 3074 / Revl. " 15 } of 1867/68.

Bangalore, 30th August 1867.

Circular

To.

The offg: Superintendent,

Nagar Division

Sir,

I continuation of this office Circular No. 1506/6 of the 14th June last, prescribing certain rules relating to the sale of immoveable property in satisfaction of the Government demand for arrears of Revenue, I am directed by the officiating Commissioner to communicate the following additional instructions on the subject, and to request that you will be good enough to circulate them to the Revenue officers in your Division for their guidance-

1- All Sales of Lands for recovery of arrears of Land Revenue should be held by the Amildar, or if practicable by one of the Assistants Native or European -

2 - A Notice of not less than 15 days should be given previous to sale -

3 - The notice of sale should be affixed to the Taluk Cutcherry, and at the Choultry or other conspicuous place in the Village to which the land is attached -

4 - The attendance at the sale of the owner or person chiefly interested in the property should be secured -

5 - The Courts should be

Careful not to attach more land or other property than is calculated on sale to meet the arrears.

I have the honor to be &c.

(Signed) J. G. Clarke.
offg: Secretary.

1869

From The Secretary to the Chief Commr of Mysore

To The Superintendent of Nagar.

Dated Bangalore 16: June

General No 1127 } 1869-70
Pol: 53 }

Your Docket No 1077 of 70 the 8th Instant reporting on the Petition of the Ryots and Gowdahs of Chittarkur Taluk:

Observes in reply to the above that if there is any special ground for giving Taccavi such as loss of crops or houses by fire, Taccavi may be given -

"By order
(Signed) F. G. Clarke
Offg: Secretary

Copy

Gl. No. 3911
Rev. No. 46

110

Mysore Chief Commr's Office
Bangalore 3d November 1871

To

The Superintendent of the
Nagar Division

Sir,

With reference to your letter No. 375/97 of the 25th ultimo, bringing to notice that the procedure laid down in General Circular No. 1 of the 25th September last, by which Dy Superintendents are required to obtain the Superintendents' sanction for the sale of moveable property in satisfaction of Government demands, will lead to delay in recovering such dues, and requesting to be informed if the rules hitherto in force as prescribed in the circulars noted in the margin, have been superseded by the circular adverted to, I am desired by the Chief Commissioner to communicate the following observations.

* No. 1506 of the 14th June 1867.
No. 3074/15 of the 30th August/67

2. The circular of 14th June 1867 provided that the sale of any immoveable property attached for the recovery of Government dues, shall not be carried

carried out without the previous sanction of the Superintendent, and the circular of 30th August of the same year prescribed certain rules for the guidance of Revenue Officers in carrying out such rules.

3. In supersession of the above the circular of 25th September last, was issued extending to all District Officers, in settled as well as unsettled districts, the power conferred by clause 2 of section 16 of the Revenue Survey Rules, of selling the rights of a Revenue defaulter in the lands held by him without previous reference to the Superintendent, his authority being required only for the sale of moveable property attached to complete the liquidation of the arrears due to Government, the object in retaining the Superintendent's control in the latter case, being to prevent the possibility of the debtor being ruined by the sale of all his property without sufficient consideration.

4. Colonel Meade therefore desires that ample trial may be given to the rules in question, and if they

are

are found to both unsatisfactorily, the question of modifying them will be taken into consideration.

Have the &c
sd/ J. Prickle
Offg. Secretary

"True Copy"
sd/ M. Srinivasa Row —
For Superintendent

113 Proceedings of the Chief Commissioner of Mysore.

No. 3695-Rev. 24, dated Bangalore, 18th August 1874.

Order thereon - The Chief Commissioner directs that the following be substituted for the first clause of para 2 of this office order No. 3209 of 22 the 29th July 1874.

"2. The Survey Department should fix at the settlement the portion of the unassessed unarable waste, the sale of which, with that of all the assessed waste numbers for grazing purposes, should, it is considered, be reserved for the Villagers only, leaving it to the Deputy Commissioner and his subordinates to

" to deal with the rest of the
" unassessed waste, without
" any special reservation and
" in the manner prescribed
" under the rules in force."

(Signed) H. Wellesley.
Off. Secretary

115 No. 3209. Rev. 22 of Bangalore, 29th July 1874

Order thereon. The proposals contained in the foregoing letter for the disposal of grazing lands in a village other them those allotted to it as free common appear to the Chief Commissioner to be fair and suitable for adoption in the Province generally. The following further instructions are accordingly issued for the guidance of the Officers concerned.

2- The Survey department should fix at the settlement certain numbers, the sale of which for grazing purposes should be reserved to the villagers only, leaving it to the Dy Commissioner and his subordinates to deal with the rest of the grazing lands, arable and unarable, in the manner prescribed under the rules in force.

For the current year however, it will the Chief Commissioner considers, be necessary for the District Officers to deal altogether with the question, as it is too late for the Survey

department

Department to make any arrangement in connection with it.

3. When the numbers allotted for grazing purposes are taken up for cultivation and a revision of the existing arrangement is in consequence rendered necess ary, such revision should be carried out by the District Officers in communication with the Survey Department.

4. "Such cases as that of the Gollars, whose complaints originate their present correspondence, which may appear to require special local consideration, can be dealt with by the District Officers at their own discretion after the requirements of the villagers have been satisfied in the manner provided for above.

5. The measures now sanctioned by the

the Chief Commissioner should be adopted for a term of three years, at the end of which a report can be submitted on the experience gained of their working.

sdg H. Wellesley
Offg. Secretary

"Copy"

For Deputy Commissioner

118

Proceedings of the Offg: Chief Commr of Mysore.

Letter from the Commissioner Nundydroog Division No: 19 dated 21st January 1876.

Order: No: 9232 dated 28th February 1876.
J. 19.

The Offg Chief Commissioner observes that the application of the provisions of the Civil Procedure Code in respect of the execution against the persons of decrees passed by Revenue Courts, was clearly not contemplated in the Chief Commr's circular No 522/3 dated 8th June 1864, and Mr Dalyell is not prepared to give to the Revenue Courts a power which they have never hitherto exercised.

2. The Original enclosure is returned.

By J. G. Clarke
Offg: Secretary

To
The Commr Nundydroog Div.
" " Hulligram Div.
" " Nagar Div.

True Copy
By J. A. Campbell
Commissioner

For Chief Commr

Proceedings of the Chief Commr of Coorg

119

Revenue Department.

Read Letter from the D/Commr of the Shimoga District No 372 of the 28th March 1880, recommending under the circumstances explained that permission be granted to Soobana of Hunsi to build a house on his field Survey No. 165 assessed at Rs. 0-8-0 —

Order thereon No 114 dated Bangalore 9th April/80.

As the site on which the house has been built is not considered objectionable, the levy of the proposed fine of ten times the assessment or Rs 5/, and the collection of the annual assessment in future are considered sufficient and the same is accordingly sanctioned.

(Signed) C. Rangacharlu
Revenue Secretary

To the D/Commr
Shimoga Distt

for D/Commr

Proceedings of the Chief Commissioner of Mysore

Revenue Department.

Read,

Letter from the Deputy Commr. of the Shimoga District No. 204 of the 11th January 1880, reporting the results of the sale of reserved trees on occupied lands in the Chennagiri Taluk.

Order thereon No. 5623-5/7693 dated Bangalore 23rd Jan: 1880.

As at the time the lands under notice were given out on Durkhast the trees were reserved from such grant, the right of the Government to the trees cannot be considered to be lost by any delay in the arrangement for their sale. Rule XI of the Survey guarantee can only apply to cases in which no reservation has been made. The sale, under the circumstances, may be confirmed

and the proceeds credited to "Land Revenue, miscellaneous" under a separate head. Sec. 132(2)

(Signed)

Revenue Secretary.

Copy

for Deputy Commr

Mysore Chief Commr's Office

Revenue Department

Endorsement on Petitions from Narasinha Bhatta and other Jodidars of Veeramenkenhully village in the Tumkur Taluk, and from Nanjappa of Banavatti Agrahar in the Kortagere Taluk now residing in Bangalore.

No 1765/P166 dated 26th June 1880 -

The Petitioners are informed that in the event of their not arranging for the payment of their arrears, as directed by the Dr Commissioner, the resumption of their Inam villages will inevitably follow. Where villages are held in vrittis, the sale of the Vrittis of the defaulters alone is permitted purely as a matter of indulgence, on the distinct understanding that the liability of the whole village for the arrears on such shares is not thereby released. If other purchasers are not found at the

at the auction, the remaining share-holders should arrange to purchase the shares at the auction for the entire amount of the arrears due on them. Otherwise the entire village will be proceeded against by sale or resumption.

Sd/ C. Ringachar
Revenue Secretary

No 1767-73
P 168 of 26th June 1880

Copy forwarded to the Deputy Commissioner of the Shimoga District for information.

Sd/ C. Ringachar
Revenue Secretary

Proceedings of the Chief Commissioner of Mysore.

Revenue Department

Read:

Petition No 2447 dated 7th December 1880, from Vassumthiah, Jodidar of Chagetelli, Davenhilly Taluk, praying that his share may be excluded from the sale on account of the arrears of Jodi due by other Vrittidars.

Order thereon No 5524 dated Bangalore 23rd December 1880 P. 627

In forwarding the accompanying petition with its enclosure, the Dy Commissioner is informed that where Jodi Villages are held in unsurveyed shares, the portion of the Quit rent payable by each share-holder being fixed by the Inam Title Deed, it will be desirable to adopt a course similar to that ordered in Proc. No 6522 dated 10th March 1880, in regard to Inam Villages held in Vrittis. The payments made by each share-holder should be

× Proc. No 1757-739 dated 25th June 1880 Copy sent to Dy Commrs - Copy sent to ...

separately recorded in the Taluk accounts, and only such of the shares upon which the Jodi may remain unpaid sold in the first instance, the whole village being sold only in the event of no bids sufficient to pay off the Government arrears being offered for the shares of the defaulters. The Dy Commissioner of the Bangalore District is requested to adopt the above course in the case under notice. It will be desirable to give the necessary instructions to the Amildars on the subject to prevent any needless hardship to share holders of the description who are not themselves the defaulters.

12/ by 154

Sd/ C. Rungachariar
Revenue Secretary

C.R.

For Secretary

Proceedings of the Dewan of Mysore.

Read :-

Letter from the Deputy Commissioner of Shimoga, No. 495/346 of the 16th August 1882.

Order thereon : No. 4030/176 dated Bangalore 1st Sept. 82.

The above letter evidently refers to the reserved trees on occupied lands in all the settled Talukes for the sale of which the Forest Department which was expected to manage it failed to make any arrangements. This failure has led to the lapse of the Government right and it cannot now be fairly asserted in the absence of any special reservation of the right for more than one year at the time. In the individual case referred to in Proceedings No. 5623-693 dated 28th January 1880, the trees were expressly reserved.

preserved at the time of granting the Durkhast and so the Government was in a position to enforce the right.

(Signed) R. Vijayendra Rao
Secretary

"Copy"

For Dy Commr

128

Proceedings of the Dewan of Mysore

Read:

Letter from the Dy Commissioner Shimoga District No 484/347 of the 3d August 1883 reporting the circumstances connected with the alleged theft of certain Sayer collections in the possession of Swami Rao, Sayer Karkun of Anvati Sorab Taluk.

Order thereon: No 2866-71/60 of Bangalore 23d August 1883.

The statement made by Swami Rao, Sayer Karkun, alleging the theft of public money in his possession is very unreliable and if the Dy Commissioner has sufficient evidence forthcoming to negative the allegation of theft the Karkun may be prosecuted for misappropriation of public money under Section 409 I.P.C.

As the Dy Commissioner reports that he has satisfied himself that Swami Rao has no property to proceed against for the

Recovery

recovery of the balance, the recommendation to write off the account the sum of Rs 290-9-7 is sanctioned.

The Karkun and the amin are properly dismissed, and the former should be entered in the list of persons proscribed the Government service. The plan adopted of taking securities from the Karkuns is approved, and other Dr Commissioners will be requested to submit a list of Sarjar Karkoons in their Districts together with recommendations as to the securities which should be demanded from them.

Sd/ T. Srenivasa Iyengar
for Secretary

Copy

for Secretary

Extract from the Dewan's Pro: No 5077/90 of

28.12.83.

Complaints having reached the Dewan that pressure was put upon the ryots in certain parts of the Province for the payment of the whole of the current year's assessment in one or two instalments, the Deputy Commissioners of Districts and the Sub Division Officers were requested to issue strict orders to the Taluk and village officers not to use any such pressure and not to demand more than the prescribed kists in any case; and certain further instructions were issued to them on the subject.

Copy

For the Secretary

B7 No 60

131 Proceedings of the Dewan of Mysore.

Read -

Letter No 1186-866, dated 27th January 1884, from the Deputy Commissioner Shimoga District.

No 314-20-7, Dated Bangalore 17th April 1884.

Order thereon - The Dewan cannot permit felling of trees in Government forests and Kans by any authority than that of the Forest department of the District in which the forests are situated, and this rule will be strictly observed by the Public Works Officers and their contractors - The requirements of this department must be met by application to the Forest Department which will issue the usual licenses on the payment of the prescribed fee -

2. The margins of roads have been made over to the charge of the Public Works Department, but the department can fell trees growing therein or lop branches thereof only for the purpose of preventing obstruction to traffic - Such fellings and loppings should be sold

sold and the proceeds credited to Government. Sec. 233. (d) (3)

Sd/ R. Vijayindra Rao
Secretary

1873

No. 4427.

Mysore Chief Comm'rs
Office P. W. Department

To

The Conservator of Forests
Mysore.

Sir,

In returning the original enclosure of your No. 1292 of the 23d Instant, I am directed to convey the Chief Comm'rs Sanction to the Orders "that the reserved trees "in Hitaloos should with the exception "of Sandal and Teak be left to the "Ryots."

I have &c
R. H. Sankey Lt-Col R.E.
Secretary to the Chief Comm:
of Mysore D.P.W.

SG

For Bg Commr

"Extract"

155 Proceedings of the Dewan of Mysore.

GOVERNMENT OF MYSORE

Read :-

Letter No. 1292/945 dated 21st February last from the Deputy Commissioner, Shimoga District, soliciting orders as to whether or not Kandayem should be levied on a land for the 1st year, if it is taken up in the latter part of that year for the cultivation of Sugarcane or any other crop -

---

Order thereon : No. 4610/256 dated Bangalore 6th Nov. 84,

The Deputy Commissioner is informed that the survey rule is the guide in the case under reference, and should be adhered to -

(Signed) A. Krishnaswamayya

for Secretary

"Copy"

for Deputy Commissioner

126

1885

From The Secretary to the Govt of Mysore

To The Deputy Commissioner
Mysore Districts

Dated Bangalore 22d July 1885.

Genl. No 2273/115

His letter No 459/336 of the 15th instant
Reporting the results during the past
year of the Hulbanni scheme sanc-
tioned in Govt Order No 7360-9 of 16th July/84
55

Has the honor to state in reply
that in accordance with his
recommendation the continu-
ance of the system for another
year is sanctioned - A report
should be made at the close
of the year regarding the results
of the system - It would have
been satisfactory if giving
the realizations under the
new system, the figures for

the previous year had also been shewn against each Taluk for facilitating commission.

No: 40

The Deputy Commissioner's proposal to deal with Villages of the kind noted in the 3rd para of the letter under reply on their merits is approved.

By order

(Sd) V. P. Madhava Rao.

Offg: Secretary

For Dy Commr

Proceedings of the Dewan of Mysore

Read :-

Letter from the Deputy Commissioner, Kolar No. 1183/457 dated 16th November 1886, soliciting instructions under what head the cost of serving notices demanding payment of revenue arrears on defaulters living out of Mysore should be charged.

Order thereon: Camp No. 1394-1401 Mysore 19th Dec. 1886.

In such cases the notices should be forwarded to the defaulter by post "bearing". The Deputy Commissioner is requested to follow the procedure in Civil Suits.

The process should be affixed to the land and defaulters' last residence -

(Signed) R. Vijayendra Rao
Chief Secretary

Sec 233 (n)

140

The 5th December 1887.

No. 151.

"When an Inamdar is permitted to use Government water, the produce of a Government irrigation work, to irrigate his inam land, and where the water thus permitted to be used is either irrigation newly granted or is irrigation in excess of the quantity to which he is entitled in virtue of the inam, he shall be liable to pay a water rate to the Government calculated at the following rates viz.-

(1) Rs 4 per acre when the irrigation is supplied wholly at Government expense from a Government river irrigation channel.

(2) Rs 3 per acre for irrigation from a private branch channel allowed to be drawn from a Government river irrigation channel.

(3) Rs 2-8-0 per acre for irrigation from a good Government tank or other irrigation work distributing water till about March.

(4). Rs 1-8-0 per acre for irrigation from other inferior sources of Government water supply.

2- The above rates are applicable to unsurveyed Talukas and are liable to revision on the introduction of the Survey settlement. In surveyed Talukas, the Deputy Commissioner shall fix the water-rate for each case in accordance with the principle of the above classification, but with due regard to the survey valuation of similar neighbouring lands, minus the ordinary dry rate, after reference, in cases of doubt, to the Survey Superintendent.

3. Water-rates fixed under this Notification should invariably be reported to the Survey and Settlement Department.

Copy

[illegible]

[illegible]

14

1887

From The Chief Secy: to the Dewan
of Coorg

To The Deputy Commissioner
of Mysore

Dated 31-1-87.

General Do 7103-10
Do 243

The clear understanding of the
of the relationship of contending parties
in cases of Sambogne, patel and
other links is often difficult in the
absence of a correct genealogical
table — When any such table is
forthcoming it is invariably found
that it is filed by one party or
the other and cannot be always
relied upon - The Dewan therefore
desires that in future all pro-
ceedings containing an adjudi-
cation on a link should contain
a genealogical table exhibiting
the relationship of the contending
party or parties to the original
linkdar, as found on records

by the Officer deciding the case in the first instance and signed by him and appended to his decision — "By order"

(Signed) R. Vijendra Rao
Chief Secretary

For Secretary

144

Proceedings of the Dewan of Mysore

Read:-

Letter No. $\frac{798}{591}$ of the 10th October 1885 from the Deputy Commissioner of the Shimoga District, recommending that the building erected without permission by one Gummanjaya of Vasane village in the Nagar Taluk on Survey no 19 may be split into a separate number and entered in his Khata making him liable for the payment of ten times the assessment thereon annually viz. Rs. 1.12-"

(2). Dewans Proceedings No. $\frac{3607-8}{75}$ of the 2d August 1886.

(3) Letter No. 902 of the 18th January 1887 from the Superintendent Revenue Survey in Mysore

Order thereon:- No. $\frac{7224-5}{183}$ Bangalore 1st February 1887

The Dewan observes

N: 588
36

146

Office of the Inspector General
of Forests and Plantations
in Mysore.

Bangalore 11th June 1887

From

The Inspector General of Forests
and Plantations.

To

The Deputy Commissioner
Shimoga District

Sir,

In reply to your letter N: 452,
of the 1st instant, I have the honor
to state that for the reasons given
therein it seems advisable for the
present to observe the procedure recom-
-mended by you in para 16, with
slight modifications viz, for the
present and until a better solution
presents itself, to leave the Gowdas
alone; taking Muchilika from
the Headman that any cutting
of valuable trees, reserved or
unreserved, (the names of such
trees being enumerated in the
Muchilika) or branches of such
trees by him or his party will
be visited by fine and also taking

Inuchilikas from them that they should utilize only unreserved fallen or standing dry or dead trees and bamboos for their cattle pens and huts and fires:—

2. Under the above arrangement it cannot be said that these Kalcha Gowlies entirely escape taxation; for they appear in some places to pay Mohatarfa on their huts and on their trade in butter &c and in time they will also doubtless bid for or claim to share by payment in the Hoobani sales or grazing rights of certain villages.—

3. I am not prepared to state that purchasers of Hoobani as regards outsiders, have not every right to fix their own terms. But this of course is different from fees extorted by the Potails for their own benefit and which practice should be strictly interdicted in future:—

"The question admittedly is not yet

yet satisfactorily disposed of; the
main difficulty lying in the
wandering habits of the Gowlees
and which in part is necessitated
by the nature of their calling
which requires them to move from
place to place for pasturage, water
and a ready market for their
butter &c.

5. If Mr Lovery is able to offer
further suggestions in the matter
he should be called upon to
expedite transmission of his
promised letter as referred to in
para 17 of your letter now under
reply.

I have &c.
sd/ L. Ricketts
Inspector General of Forests.

"Copy"

For Deputy Commissioner

No 3716
91

Mysore Revenue Office
Bangalore 30 August 1887

To
The Deputy Commissioner
Kadur District

Sir,

2. I am to add that Revenue sales vitiated by grave irregularities may be cancelled by the Deputy Commissioner before their confirmation - After confirmation they should however be submitted for orders if the Deputy Commissioner find it necessary in the interests of justice to recommend their cancellation.

3. No payment either by the defaulter or others interested in the land can be accepted either after the sale or on the date of sale, the prescribed time in this point should, I am to request, be strictly adhered to -

Please see
(Signed) C. Madiah
For Chief Secretary

Extracts

No 3715-21
86

Sec 160

Extracts paras 2 and 3 for=
warded to the Secretary of Mines
District for information -

"By Order"
(Signed) C. Madiah
For Chief Secretary

Proceedings of the Dewan of Mysore

Read the following paper-

Letter No 1024-320, dated 10th August 1888, from the Dr Commissioner of the Kolar Dist, reporting upon a petition presented by D. Venkat Rao and others holding lands under the Malur Doddere tank, complaining of the refusal of the Dr Commissioner to grant a remission of wet assessment on their lands which lay waste owing to the breach of the tank by the Public Works department in the year 1886-87.

No 4285-93-Ci 124, Dt 8th September 1888

Order thereon - The Dewan concurs in the opinion of the Dr Commissr that the breach of the Malur tank not being an accident, the ryots holding lands under it are entitled to some concession during the year in which the breach was made and he is accordingly pleased to sanction the proposed remission of 1/4th of the wet assessment on the lands in question for the year Vyaya, 1886-87-

2- Where a tank is breached by the Public

152
Sec. 233 (2)

Public Works Department for repair, before the close of the cultivation season and without the Consent of the occupants under it, the Dr Commissioner may, in his discretion, submit a statement for ¼ th remission during the year of the breach, under the last sentence of Rule 11, laid down in parab of Proceedings No: 2032-41-85, dated 5th June 1886. Orders have been issued on the Public Works department to reduce to a minimum occasions for such breach.

Sd/ R. Madrah
For Chief Secretary

For Dr Commissioner

22. Government to direct what Officers shall furnish security and for what amount.	Chief Commissioner's printed $\frac{6356 \cdot 64}{\text{mis } 639}$ dated 26th February Dewani's Proceedings No. 23d. August 1883.
40. Regulation of use of pasturage.	Proceedings No. 3209 Revenue 22 Do. No. 3695 Revenue 24; Proceedings No. 2360-9-55 dat Printed Pro. No. $\frac{3348}{75}$ dated 26th Printed Pro No. $\frac{6023 \cdot 31}{128}$ dated Proceedings No. $\frac{2273}{115}$ dated 22. Inspector General of Forests letter
47. Assessment of land revenue in cases of diluvion.	
60. Occupancy right to be paid for and to be liable to certain conditions	

dated 16th July 1884

January 1880

tember 1882

April 1884.

April 1874.

Secretary D. P. W

No. 25389 9th
October 80

11th September 84

nber 84

circular No 1
in the Impoove
1872 at page 151.

dated 27th August 83

11th May 1885

ed 17th September 85

235. Power to provide for penalties.	(n). Printed Pro. No 1648-56 dated 72 Do. No. 2032-41 dated 85 Proceedings No. 4285-93 civ. Do. No. 1394-1401 Printed Pro No. 3052-60 of 90 Notification No. 151 dated.

Camp Sagar
19th January 1889

18th may 1886.

5th June 1886.

124 of 8th Sept/88.

dated 19th Decr/86.

16th July 1886.

5th December/87.

Deputy Commissioner
Shimoga Dt

Proceedings No.

1880.

2866.71/60 dated

No provision made in the Draft Rules for security being taken either immoveable property or cash as provided in Chief Commissioner's Proceedings

dated 29th July 74.

dated 18th August/74

ted 16th July/84 (printed)

August 1884.

29th January/85

July 1885.

No 588 J 11-6-87/
38

63 Uses to which occupant of land for purposes of agriculture may put his land.	Revenue Secretary's No. 114/29 printed Pro. No. 5003-11 dated cir 126 Dewan's Pro: No 7224-5/183 of 1st Febru
66. occupants rights are conditional.	printed Pro. No. 6115-22/180 dated Do No. 1060-7/15 dated Do. No. 5308-16/155 dated
117. Preparation of statistical and fiscal records.	
137. Existing exemptions confirmed. (Lands within the sites of villages, Towns and (cities)	

Proceedings No. 1880.

2866.71/60 dated

No provision made in the Draft Rules for security being taken either immoveable property or cash as provided in Chief Commissioners Proceedings

dated 29th July 74.

dated 18th August 74

ed 16th July 84 (printed)

August 1884.

29th January 85

July 1885.

No 5889 11.6.87
36

dated 9th April/80	Conflicts with the Pro. of the Dewan No 7 224-5/183
6th December/87	dated 1st February 1887.
ary 1887	
1st November/81	
30th may 1887.	
14th December/87.	

140. In certain case a survey fee to be charged

154. Liability incurred by default.

Proceedings No $\frac{5524}{P\ 627}$ of 23d.
Do. No. 5077-90 dated

160. Distraint and sale of defaulters moveable property.

By whom to be made.

Printed fro. No. $\frac{5326-33}{cir.\ 137}$ of circular ~~No 1502~~ 6 of 14th January 1867.
Circular No. $\frac{3074}{R\ 15}$ dated 30th
Do. No 1 of 25th September
Proceedings No $\frac{3215-21}{86}$ dated
Do. $\frac{3911}{46}$ dated 3rd Nove
Printed fro. No. $\frac{1989}{Rev.\ 20}$ dated
Do - $\frac{4481}{R\ 32}$ dated 23rd
Do - $\frac{3443-51}{90}$ dated 10th
Do. $\frac{3643}{82}$ dated 15th

163. Arrest and detention of defaulter.

December 1880

28th December/83

14th December/87 Note. most of these circulars relate to Revenue sales of both immoveable and moveable property.

August 1867.

1871

30th August/87.

mber 1871.

18th July 1873.

September 1876

August 1882

September/84

164 Power of arrest by whom to be exercised.	
189 Application of proceeds of Sale.	
194 Power to Government to make rules as to advances made.	Secretary's No $\frac{1427}{R.53}$ dated 16th Printed Pro. No. $\frac{2274}{63}$ dated
205 Ordinary inquiries how to be conducted.	Proceedings No $\frac{7103-10}{243}$ dated Do. No. $\frac{9232}{J\ 19}$ dated 28th
206. Copies and translations to be how to be obtained.	Rules of Practice now in force in dated 12th June 1880. Vide supra dated 19th June 80 Part II page 327.
232. Maps and land registers and village accounts to be open to inspection.	

233. The Government to frame rules.

(a).

(b).

(c). Printed Pro. No. 2348-58/54

(d). Proceedings No. 5623-5/693 dated 23?
Do. No. 4030/176 dated 1st Sep
Do No. 314-20.7 dated 17th
Printed Do. 82/9.7 dated 4th
Letter No 442 7 of 1873 From to Conservator of Forests.

(e).

(f). Survey Superintendents Qadi

(g).

(h). Printed Pro. No. 3593/81 dated
Pro. No. 4610/256 dated 6th Nove

(i).

(J).

(K).

(l) Chief Commissioners General dated 4th may 1872. publishe Gazette No 7 dated 18th may

(m).

(n). Printed Pro. No. 2967-9/117
Do. No 1036-44/34 dated
Do Camp No. 983. 92 dat

June 1869.

6th June 77.

31st January 187[illegible]

February 1876.

Civil courts No. 31

Gazette no. 24

D 2/2

Rupa 4/2

21-2-89

9/9.25

Sales 2/2 Personal 2/2

153

1889. 8585 202

From

The Supt. of Main Settls.

To The Chief Secretary to the Govt of Mysore

Dated 11th Feby 1889

Encls: No

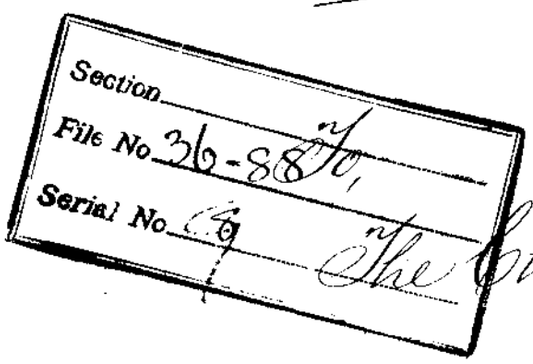
C/No 44 of 1888-89.

Subject: Compilation of Rules & Standing orders relating to Returns required to be prepared in the Revenue Dept. Ref. No. 6933/82 8/19 Dec. 88 is ready but shall not be submitted for the reasons assigned herein.

154

No 44.

Inam Supt^ts Office,
Bangalore 11th Feby 1889
18 — do —



The Chief Secretary to the Dewan
of Mysore

Sir,

I have the honor, with reference to Proceedings of the Dewan No 5932/82 dated the 19th December 1888, to observe that the compilation of Rules and standing orders relating to Inams of all descriptions, therein directed to be prepared, is now ready but has not been printed. Having regard, however, to the plan which the committee now engaged upon drawing up Rules under the Land Revenue Code, have in view of making their compilation include not only all Rules strictly under the Land Revenue Code but all Rules and orders relating to

Revenue

Revenue matters not repealed by, and not in conflict with, the Codes. I would submit that a separate Compilation of Rules and Standing Orders, relating to Indian matters will not be necessary, in as much as they will appear as an appendix to the Rules under the Land Revenue Code which will, in due course, and very shortly, be submitted for approval.

2. In the above view of the case, I have not submitted the Compilation separately and shall not do so unless otherwise ordered.

I have the honor to be,
Sir,
Your most Obed^{t} Serv^{t}.

Supt^{t} of Indian Settls.

156 9/12

(General Serial No. 30.)

188 .

From

To The Supt: of Swan Settlement

Section
File No 36-88
Serial No 96

Dated 26/2/89

Despatched

Received

Enclosures No.

General No. 7516

No. 96

His letter No: 44 of the 11th instant, stating that the Compilation of Swan Rules & Orders, called for in Fro: No: 5932 of the 19th Dec 88, will appear as an Appendix to the Compilation of Land Revenue Rules now under preparation.

The Proposal is Approved.

Govt

D.C. or C.S.

Draft
Rules

187 .

From The Survey, Settlement & Land Records Department

To The Secretary to ~~Chief Commissioner,~~ ~~General Department.~~ the Diwan of Mysore

Dated 18th March 89

Despatched

Received

ENCLOSURES NO 6

General No. 8 1/3 } 1889
No.

Section L. R.
File No 36-88
Serial No 10

Submitting a Report of the Committee assembled to discuss the Rules to be issued under the Land Revenue Code together with 6 copies of Draft Rules.

21/3.

No. 878

Survey Superintendent's Office
Bangalore 18th March/89.

To,

The Chief Secretary
to the Dewan of Mysore.

Sir,

I have the honor, with reference to the order of the Dewan No. 3756/82-1/2 dated the 19th December 1888 to submit the report of the Committee assembled to discuss the Rules to be issued under the Land Revenue Code.

2 The Report of the Committee enters into all

necessary

Report by the Committee appointed in Dewan's order No. 5-956/81 dated the 19th December 1888 to draw up Rules under the Mysore Land Revenue Code 1888.

The Committee in carrying out the task assigned to them have had, unfortunately, to work without the assistance of two of the Members originally appointed, namely, Major A. H. Macintire and Mr Vijendra Rau, who had important duties elsewhere.

2. The submission of a final Report by the 25th January 1889 has been found quite impracticable owing to the extent and importance of the matter which had to be discussed; even now Appendices I to X referred to in Rules 8, 61, 68, 69, 85 and 86 and the Forms A to Z(1)

referred to in the other Rules are in the course of revision, but the Committee think that the Rules themselves having been completed, they may be advantageously submitted, the Appendices being afterwards sent in, as ready.

3. In approaching their task the Committee felt it necessary to first of all decide upon some plan of arrangement and compilation which should be at once systematic and comprehensive. They decided therefore to make the Draft include not only such Rules as might be considered to strictly emanate from, or be provided for in, the Code, but also, all existing Rules and orders on the different subjects.

Subjects Connected with land
Revenue administration, a power
evidently Contemplated at Section
232 (n). It is scarcely necessary
to state that the existing Rules
and Orders which have been
retained by the Committee in
no way Conflict with, or are
other than in furtherance
of the general provisions of
the Code. The scattered Compi-
lations known as the Survey
Manual of 1879, the Revenue
Manual of 1874 and the Revenue
Manual of 1886, unhandy for
the use of Revenue Officers
and puzzling to those desirous
of passing the Revenue Examina-
tions, have now been gathered
together and they may cease to
exist

exist, as separate compilations 182
excepting as regards (1) Forest
Rules, (2) Mohaturfa Rules,
and (3) Sayar and Abkari
Rules, directly the new Rules
have been sanctioned and
published.

4. The Table of Contents
attached, fully explains the
plan and general arrange-
ment followed in the draft.

5. The Committee are not
sanguine enough to expect
that no omissions or mis-
takes have crept in, in so
large a work but they trust
they may be few and un-
important. They think the
issue of the Rules need
not be delayed as any
omissions can hereafter be,
from

Report by the Committee appointed in Dewan's order No 5-956/81 dated the 19th December 1888 to draw up Rules under the Mysore Land Revenue Code 1888.

The Committee in carrying out the task assigned to them have had, unfortunately, to work without the assistance of two of the Members originally appointed, namely, Major A. H. Macintire and Mr Vijendra Rau, who had important duties elsewhere.

2. The submission of a final Report by the 25th January 1889 has been found quite impracticable owing to the extent and importance of the matter which had to be discussed; even now Appendices I to X referred to in Rules 8, 61, 68, 69, 85 and 86 and the Forms A to Z(1)

referred to in the other Rules are in the course of revision, but the Committee think that the Rules themselves having been completed, they may be advantageously submitted, the Appendices being afterwards sent in, as ready.

3. In approaching their task the Committee felt it necessary to first of all decide upon some plan of arrangement and compilation which should be at once systematic and comprehensive. They decided therefore to make the Draft include not only such Rules as might be considered to strictly emanate from, or be provided for in, the Code, but also, all existing Rules and orders on the different subjects.

from time to time, brought to the notice of Government by the Deputy Commissioners and other Officers concerned and the Rules altered or added to accordingly. No new Rules should issue hereafter on the subject of land revenue, excepting as part and parcel of, and in their proper position in, the Rules under the Land Revenue Code.

6. With reference to the last para of the Dewan's order above quoted the Committee beg to state that, in the Compilations known as the Survey Manual of 1879 and the Revenue Manuals of 1874 and 1886, the Rules and Standing orders, which, besides the Forest, Mohatarfa, Sayar and Abkari Rules already alluded to, will not be superseded

superseded by the Revenue Code and the Rules under it, are (1) Local Fund and Irrigation Fund Rules, (2) Municipal Rules, (3) Rules relating to the custody and guardianship of Illmirs etc, (4) Orders regarding non-interference with price and exportation of grain and (5) Orders regarding supplies and precautions when Troops march.

L. B. Grant

L. Constantine Dixon

Military Secretary to

Bangalore
18th March/89

(General Serial No. 30.)

1896.

From

To Compiler
Mysore Gazetteer

Dated 22 July

Despatched

Received

Enclosures No.

General No.

No. 150

Publishing Rules under the Land Revenue Code

From Revenue Survey

22 July 1890

No 150 In exercising the powers conferred by s 733 of the Crown Land Revenue Code, 1888, the Govt of W.A. the Governor in Council have framed the following Rules which are hereby put in General operation for the guidance of all Officers concerned, in supersession of all the Orders now in force on the subjects therein dealt with.

B. T. Roberts
Clerk

No 37 of 90

(General Serial No. 30.)

1890.

From The Legislative Secretary to the Govt. of Victoria

To The Under Secretary to the Govt. of Victoria

Section L.R.
File No 36-86
Serial No 11

Dated 12 July

Despatched "

Received "

Enclosures No. 1

General No. 37
No.

Sir,

With reference to your D.D. of the 9th inst. forwarding for opinion forms in Appendix to the Draft Land Regulations, I have the honor to state that I have carefully perused them & the conditions therein are not opposed to public policy or to existing laws & they may be adopted.

I have &c.

12/7
Legislative Secretary

Mis.